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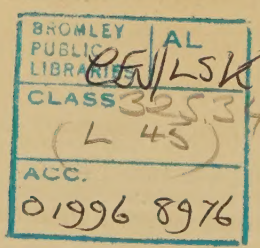

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PREFACE.

A LARGE portion of this volume is taken up with an addenda from 1574 to 1674, the period comprised in the three preceding volumes of this Calendar of Colonial State Papers, America and West Indies, the remainder of the abstracts being in continuation and completing this series down to the end of the year 1676. Some years have elapsed since the publication of the first volume, and during that time many Colonial records have been brought together from various sources which had been overlooked or misplaced, but we believe that every Colonial Record between 1574 and 1674 to be found in the Public Record Office is now abstracted, including all the early patents granted to Sir Humphrey Gylberte, "Walter Raleigh, Esq.," and others, as well as the several articles of agreement with Sir Philip Sydney, Sir George Peckham, Sir Richard Grenville, Sir Thomas Gerard, and their associates Some of these are printed in Hakluyt, but have now been calendared to make this series of Colonial Papers as complete as possible. It was after the publication of the first volume that the late Earl of Derby wrote: "May I suggest "that the circumstance of a narrative having appeared "in Hakluyt's collection does not seem sufficient reason "why it should be excluded from yours. Hakluyt, though "not a scarce, is an old and inconvenient book, seldom "read or referred to, I should imagine, except for some "special purpose. *Your series of documents ought to be* "*complete in itself.*" With this view the foreign correspondence in the Public Record Office has also been carefully examined with a satisfactory result, as the

additional matter calendared from that series of State Papers will clearly show.

Sir Humphrey Gylberte;

The first abstract is a petition of divers gentlemen of the west parts of England to the Queen "for a new navigation" to be undertaken by Sir Humphrey Gylberte and others, and on the same day, 22nd March 1574, they beseech Lord High Admiral Lincoln to take their supplication into his protection and commend it to Her Majesty (1, 2). Four years later Queen Elizabeth granted Letters Patent to Sir Humphrey Gylberte, and to his heirs and assigns (3), and then Sir Humphrey set to work

his first voyage.

to carry into effect his intended voyage. His letters to Secretary Sir Francis Walsyngham, "the pillar unto whom I lean," furnish details of the obstacles and difficulties to be overcome, and also "the causes of Mr. Knowles forsaking the voyage," which are signed by Hawkins, Raleigh, Miles Morgan, and others. We have also the names of the ships, officers, and gentlemen, and the number of soldiers and mariners gone in the voyage (4–8). On Gylberte's return from this disastrous voyage he was em-

His services in Ireland;

ployed by Queen Elizabeth to quell a rebellion in Ireland, which, Raleigh reminded Secretary Walsyngham two years later, Gylberte ended in two months (11). "Would "to God (he wrote) the service of Sir Humphrey Gylberte "might be rightly looked into . . . . I never heard "nor read of any man more feared than he is amongst "the Irish nation, and I do assuredly know that the best "about the Earl of Desmond, yea, and all the unbridled "traitors of these parts, would come in to him and yield "themselves to the Queen's mercy, were it but known "that he were come amongst them. The end shall prove "this to be true." In 1581, Gylberte was in "great extremity" for the arrears due to him for his services when he wrote a pitiful letter to Secretary Walsyngham:

" A miserable thing it is that I, a poor man, having served " Her Majesty in wars and peace about seven-and-twenty " years, should be now subject to daily arrests, executions, " and outlawries, yea, and forced to gage and sell my " wife's clothes from her back, who brought me so good " a living" (12). After this we find him preparing for his last fatal voyage. All the Articles of Agreement between Gylberte and his associates are entered on the Close Rolls and calendared (14–22, 27–29), as well as the details in connection with this voyage, and " the names " and surnames of such persons with their several sums " of money and commodities adventured" (pp. 15–17). From Gylberte's last letter to Secretary Walsyngham, dated from Redcross Street (21), shortly before he sailed in 1583, Queen Elizabeth seems to have had a prophetic instinct about the safety of Sir Humphrey. " Her Majesty " of her special care had of his well-doing and prosperous " success *wished his stay at home from the personal execution* " *of his intended discovery*, as a man noted of no good hap " by sea." But Gylberte did his best to overcome and satisfy all objections. First he describes the reasons for his delay, " The outrage of this winter hath been a common " hindrance to all men of this realm southward bound, " ships driven from the Azores to this coast without " spreading a sail, a thing never heard of before, so [it was] " impossible for him to have performed his journey this " winter." And then he goes on to say, " If the doubt " be my want of skill to execute the same I will offer " myself to be opposed by all the best navigators and " cosmographers within this realm. If it be cowardice, " I see no other purgation thereof than my former service " to Her Majesty. If it be the suspicion of daintiness of " diet or sea-sickness, in those both I will yield myself " second to no man living, because that comparison is

His Associates Sir Philip Sydney and others ;

his last voyage.

Queen Elizabeth's prophetic instinct.

" rather of hardness of body than a boast of virtue." And finally he trusts Her Majesty with her favour for his 28 years' service to allow him to get his living as well as he may honestly, " which is every subject's right," and not to constrain him by idle abode at home to beg his bread with his wife and children. Before sailing he purchased of Lord Cheney the manor of Minster, in the Isle of Sheppey, " the only stay left her to live by in her husband's absence " (21); and this letter is the last we hear of the ill-fated Sir Humphrey Gylberte. Two years later, in June 1585, Sir Walter Raleigh procured a grant from the Queen of lands in Kent to the Lady Anne Gylberte (39).

Sir Walter Raleigh

Raleigh's patent and other documents which are printed have been collated with Hakluyt, but the variations are neither numerous nor important (32). Gylberte's patent is enrolled on the patent roll of 21st Elizabeth, although it passed the great seal the 20th of Elizabeth. It is the only patent on this roll which has the regnal year, though the concluding words, " Anno Domini, 1578," printed in Hakluyt, are not on the patent roll (3). Within a year of the date of his patent Raleigh had made all the arrangements necessary for setting forth his voyage. Early in February 1585 he obtained Queen Elizabeth's warrant to the Lord Deputy of Ireland for Ralph Lane, one of the Queen's equerries, to appoint a substitute for his government of Kerry and Clanmorris, " forasmuch as " we have occasion to employ him presently in other our " service of importance," which was " graciously given " him by Her Majesty in consideration of his ready " undertaking the voyage to Virginia for Sir Walter " Raleigh at Her Majesty's command " (36). There are several letters from Ralph Lane in the first volume of this Calendar from Port Ferdinando, Virginia, in August and September 1585.

Ralph Lane's voyage to Virginia.

Richard Hakluyt, "Preacher," the third name on the Virginia Patent of 1606, was about this time chaplain to Sir Edward Stafford, the English Ambassador in Paris, and his letters to Secretary Walsyngham (31, 35, 37) are evidence of the warm interest he took in these voyages of discovery, and the efforts he made to push them forward, "because I know that this present enterprise is like soon "to wax cold and fall to the ground, unless in this second "voyage all diligence in searching out every hope of gain "be used . . . . For mine own part I am most willing "to go now in the same this present setting forth, and in "the service of God and my country to employ all my "ample observations, reading, and conference whatsoever." And because the time is exceeding short, he desires Walsyngham's answer "upon sight whereof, with wings of Pegasus, I would soon fly into England" (31). In another letter Hakluyt solicits Walsyngham again and again for the erection of a lecture for the Art of Navigation, about which he had speech with Sir Francis Drake and others, and he recommends that Her Majesty be induced to erect such a lecture in Oxford and in London, allowing to each 50*l.* yearly. "In my simple judgment it "would be the best 100*l.* bestowed these five hundred "years in England" (35). Hakluyt was careful to advertise Raleigh from time to time, and to send him discourses concerning his voyage, which "doth much vex the Spaniards" (37). "The twenty several titles or "heads of chapters contained in the book of Sir Walter "Raleigh's voyage" Hakluyt presented to Secretary Walsyngham "written all with my hand," who hath very earnestly oftentimes writ for it, and so hath the Earl of Leicester, but as yet this is the first (42). This is probably "Hakluyt's relation of the West Indies," purchased by the Lords of Trade and Plantations in 1676 for 10*s.* (983).

Richard Hakluyt.

Proposes Lectures for the Art of Navigation.

Samuel Purchas.

There is only one reference in this volume to Purchas, or rather to a continuation of his history. At a meeting of a Committee of Trade and Plantations, in February 1675, it was resolved by their Lordships to consider of a method of having journals from all merchants ships going long voyages, and they proposed a continuation of Purchas' History with relation to His Majesty's plantations, and for finding out a fit person for this undertaking (445).

Sir Francis Drake.

There are several references to Sir Francis Drake. In a private letter to an English merchant, we have a graphic account of the taking of San Domingo early in 1586. The captain of a ship of Newhaven said that Drake had left on 22nd January "with all the riches of the island." He captured five great galleons and great provision of oil, wine, and rice, with 350 brass pieces, powder and shot. He took away with him 1,200 English, French, Flemings, and Provincials out of prison, besides 800 of the country captives. "The manner of the taking of the island," sent to the Lord Admiral, was in this wise. It seems Sir Francis played with the Spaniards three days, making many false alarms as though he would have landed, and so wearied and tired them. Then very secretly he landed 800 men in most warlike order a league or two off, and in the meantime his ships "gave a whole charge," whereupon the enemy issued out of the town to defend the landing, when the 800 men cutting between the enemy and the town, upon their backs, striking up their drums and displaying ensigns, so amazed them that they were scattered, killed, and spoiled, very nearly 10,000 (41). In April 1596 William Stallenge wrote to Sir Robert Cecil that he was very sorry to communicate such unpleasant news, yet thought it his duty to send him the enclosed journal of the

Sir John Hawkins.

[last] voyage of Sir Francis Drake and Sir John Hawkins, by Captain Troughton. From this journal we learn that

the fleet sailed from Plymouth on 28th August 1595, but when they reached the coast of Spain "many unkind "speeches passed with our Generals, such as Sir John "Hawkins never put off till death." First, there was a consultation as to taking the Grand Canaries, Sir Francis being in favour of the design, Sir John against it, but at the earnest request of some of his friends was content to assist, yet in his judgment it was labour lost. They anchored on 26th September before the fort, but after some show of resistance Sir Thomas Baskerville made his retreat without putting foot on land. Arrived at Dominica 28th October, two days afterwards they anchored at Guadaloupe.

On 31st October Sir John Hawkins, "not able to bear his griefs out longer, sickened." On 4th November they anchored "among" the Virgin Islands; and on 12th November at Porto Rico, where Sir Nicholas Clifford was killed by a shot, and on this day died Sir John Hawkins, "whose death of many was much lamented."* On 2nd December Rio del Hacha was taken where great store of pearls, plate, jewels, and ryals, silk, rich apparel, and "much other luggage" was found, and the town burnt. Great store of gold, silver, and jewels was also taken at Nombre de Dios. On 29th December they "took the journey for Panama, now the mark of our voyage," but impeded by Spaniards and negroes retreated to the ships. On 28th January 1596 they came to Puerto Bello, and "this morning died our General Sir Francis Drake." Ten days later Sir Thomas Baskerville, "taking upon him General," set sail homewards. On their way they descried 20 of the King of Spain's war ships "waiting our home coming." It was Captain Troughton's fortune to take the Vice Admiral, "one of the twelve Apostles of the King." He left Sir Thomas Baskerville in a storm on 14th March

* *Sic.*

(46, 46 I.). Rio del Hacha was again sacked and burnt by the English 60 years later (260).

The letters of Cromwell's sea captains and officers in this addenda show that the spirit of the Elizabethan age which dominated Drake, Hawkins, and others of Queen Elizabeth's naval Commanders was much the same in the latter period of the Interregnum, the contract being that the seamen and soldiers should have half of what they took. But Major Sedgwick was "strongly opposed to "this kind of marooning, cruising, plundering, and "burning of towns, though, as he said, it hath long "been practised in these parts, yet is not honourable for "a princely navy" (236).

Virginia.

Both the Virginia Patents of 1606 and 1609 will be found very fully abstracted (48, 49). In the earlier patent the first four names are Sir Thomas Gates, Sir George Somers, Richard Hakluyt, and Edward Maria Wingfield. The last was President of the Council of Virginia in 1607, Sir Thomas Gates went out as Governor with Sir George Somers in 1610, and his letter to Lord Treasurer Salisbury in the first volume describes their shipwreck and landing at the Bermudas. Sir Thomas Gates, we gather from a speech of Sir Ralph Winwood, our Ambassador at the Hague, in February 1611, had long been in the service of the United Provinces. He told the States General how some English Lords and gentlemen of quality, at their own expense, had undertaken to plant a colony in Virginia, and among those who had laboured for the success of this design, there was not one who had done more to advance it than "one of your captains named "Sir Thomas Gates, who the past year was there, where "the providence of God led him, after having run the "risk of shipwreck, being cast in a tempest upon the "Bermudas, where he dwelt with all his followers more

Sir Thomas Gates, Governor.

" than forty weeks. His Majesty of Great Britain desiring " the happy issue of this undertaking because of the good " which he foresees will arise out of it, as well for the " Christian religion as for the increase of commerce, is of " opinion that nobody is more fit to be employed there " than Sir Thomas Gates, as well for his sufficiency as " for the knowledge he has of these quarters of the world. " This is why His Majesty has commanded me to beg " your Lordship in his name and on his behalf that, with " your kind permission, he may be able to make once " more a tour in those countries, and remain for some " time there to govern the Colony until your service " recalls him home." The Ambassador continues: "It " must not be feared that this demand will be drawn into " a precedent, for there is only he and Captain Dale " destined for employment in this service. I beseech " your prompt resolution, the business does not require " long deliberation. Sir Thomas Gates is under orders, " and the four ships destined this time for the voyage to " Virginia are ready to sail, and only await a favourable " wind and his coming." The States General made answer they were content that, at His Majesty's instance, Sir Thomas Gates might be employed in Virginia, during which time his company should be entertained, but his pay as captain would cease (51). He sailed a second time to Virginia as Governor in 1611, but returned in May 1614. The latest Biographical Dictionary states that nothing is known of his later career, and Stith is quoted as citing a speech of Captain John Smith, wherein it is affirmed that Gates afterwards went to the East Indies and died there. There is, however, some confusion here, for it was Sir Thomas Dale who went to the East Indies and died there. As for Sir Thomas Gates we have the authority of Sir Dudley Carleton, our Ambassador at the Hague, for

His services and death.

saying that he died in August 1622 at Count Mansfeldt's camp at Skenckschaus to the east of Nimeguen. Carleton told Secretary Sir George Calvert there were three of the Count's eldest captains dead at his camp in the space of three days, Philler and Ents, both men of account, who died suddenly in one night, and "one of his foot, Sir "Thomas Gates, an ancient honest gentleman of our "nation" (122). From an order of the Privy Council in September 1637 we gather that he left behind him two sons, Captain Thomas and Anthony, both then deceased, and two daughters, Margaret and Elizabeth (182).

Sir Thomas Dale, twice Governor of Virginia;

On the return of Sir Thomas Gates from Virginia, Sir Thomas Dale again went out as Governor, and did not come back until June 1616. Secretary Sir Ralph Winwood, in a letter to Sir Dudley Carleton, English Ambassador at the Hague, dated 3rd March 1617 (89), says that Sir Thomas Dale, having for many years together resided in Virginia, is now returning into those provinces to his charge, from whence, although he hath been longer absent than he had license of the States, yet being a principal man in an employment of such consequence as that was, "I assure myself you will labour so effectually for him "that he shall be no way prejudiced thereby," and the Secretary of State asked Carleton to give Sir Thomas Dale such countenance and good respect as he shall think fit for a man of his quality and merit, and he will purchase the thanks of many other in this State who hold themselves much interested in his future well-doing and advancement. His license to go to Virginia the first time was procured by Ambassador Winwood in February 1611 (51), upon a letter from the late Prince Henry (89), who had recommended Sir Thomas Dale to the States Ambassador when in England.

and Prince Henry.

In November 1618 he entered the service of the East

India Company as Commander of the newly appointed fleet for India. There was some correspondence in reference to the payment of his entertainment during his absence (89–94), King James himself, writing a very strong letter to his Ambassador at the Hague in Sir Thomas Dale's behalf (92), which at the end of a twelvemonth was successful, and Sir Thomas Dale received his full entertainment for the whole time of his seven years' absence in Virginia, amounting to 1,000*l.*, but the English Ambassador, in the same letter that he communicates this news to the Secretary of State, adds, Sir Thomas has left the State's service and is gone with charge towards the East Indies *sans dire adieu*, which "hath a very ill "sound here . . . . the liberality used towards him "being very extraordinary, and his departure so sudden, "even the very day of the receipt of his money" (95). We have already, in a preceding volume of the Calendar of East Indies, China, and Japan,* given a sketch of his services to the East India Company, and an account of his death, which took place in Masulipatam Road on 19th July 1619. His decease was a great loss to his country, he was, perhaps, the first Englishman who had served with honour and distinction in three-quarters of the globe in a different capacity. He was a successful military Commander in the service of the States General of the United Provinces. He was, as we have seen, twice Governor of the Colony in Virginia, and the East India Company chose him as their Admiral of the largest and best appointed fleet which had up to that time (November 1617) ever sailed from England to India.

His services in three quarters of the Globe.

It was probably Sir Thomas Dale who started a subscription in India for erecting a school in Virginia. The

Subscriptions for a School in Virginia.

* 1617–1621. Preface, pp. xix.–xxv.

Court Minutes of the East India Company prove that a sum of money to the value of 70*l.*, "part by some of the "Company's servants deceased in the Indies, and part out "of the wages of some that are living," was given towards this object. The Court showed themselves ready to forward so pious a work, ordered that it should be paid and a discharge taken from the Virginia Company under their seal, which was accordingly done (117–18). Three years later a sum of 20*l.* was collected both ashore and aboard the ships (124–5) and the practise seems to have been persevered in until the East India Company began to think that such a collection should be made towards a hospital for the aged and impotent in their own service, "but if "anything can be collected from men that die abroad the "same to be reserved for Virginia" (132–3). There is evidence that the East India Company paid a further sum of money to Sir John Wolstenholme by order of the Council of Virginia, and that Mr. Copland, a minister returned from India, "doth labour to draw a contribution from thence" for erecting this school, which contribution however the Company thought more proper "for building "a hospital for such as are hurt or maimed in their "service" (135–6). So there is no further mention of the School.

Jealousy of Spain of the Virginia Colony.

In the meantime Spain was watching the progress of our infant colony with jealousy and distrust. The English Ambassador at the Court of Madrid was constantly writing home about this business. "I can assure you of my own knowledge," wrote Sir Francis Cottington to Lord Treasurer Salisbury, "that with those plantations they are here so "much troubled as they know not how to behave them-"selves" (52). The King of Spain wrote an indignant letter to his Ambassador in England complaining of the seizure of three of his subjects who landed on the coast of

Florida by certain Englishmen "who say that by order "of the King of Great Britain they have set foot in the "part of that coast which they call Virginia," and he commanded his Ambassador to express to King James the "just resentment" which he felt (56). Some months later Sir John Digbye (who had succeeded Cottington) wrote "they are very much displeased with our plantation "of Virginia which they stick not now to say that if His "Majesty will not cause it to be recalled this King will be "forced by a strong hand to essay the removal of it" (60). And there are several more letters from our Ambassador to the same effect.

Complaints from the French Ambassador.

Complaints were also received from the English Ambassador at Paris of our proceedings at Virginia, and Admiral de Montmorency, in a letter to King James, complains of depredations and cruelties committed by Samuel Argoll, Captain of the "Treasurer," in the taking of a French ship which was going to make a plantation in Virginia (81). Sir Thomas Edmondes reported to the King that he had satisfied Monsieur de Villeroy, and "he will no more dispute that matter with me" (84). Then we find La Marquise de Guercheville entreating the courtesy of Secretary Winwood for the reparation of the great wrong which had been done her, and for the recovery of the Frenchmen who remain in Virginia (85). The Marquise no doubt had begged the good offices of Louis XIII. and his Queen, for the English Ambassador again wrote home two months later that he had had audience of the King and Queen of France in reference to sundry complaints of His Majesty's subjects against the French, "whereunto the "Queen made me no other answer than that the complaints "were so great which she received, of the spoils which "were committed upon the French by His Majesty's "subjects as she was forced to make an extraordinary

" instance for the redress of the same " (86). Soon after this Sir Thomas Edmondes presented to their Majesties of France a memorial of complaints of the subjects of the King of Great Britain, a document of 21 pages, some of the complaints dating back 25 years. One of these has a special interest, inasmuch as it throws a different light upon a well-known incident which seems to have been erroneously described in works compiled by authors generally recognised as trustworthy. These are the facts of the case as represented by the English Ambassador. In the year 1606, Sir Ferdinando Georges, then Governor of Plymouth, and some others, equipped and put to sea a ship named the " Richard," under the command of Captain Chaloner, to traffic and obtain a footing (*prendre pied*) upon the coast of Virginia. This ship was taken at sea with all her merchandise and provisions to the value of 14,000 or 15,000 livres by a ship belonging to two merchants of St Malo, Louis and Graves, the captain being Alphonse Camache, and taken to Bordeaux. One named Tucker prosecuted Camache before the Parliament of Bordeaux, but after endeavouring two years to obtain justice, an order was made 20th February 1609 dismissing his suit. Now this is at various with Chalmer's, and with Burke's, History of Virginia I. 85–92, who say the ship was commanded by Henry Challoner, and *was taken by a Spanish fleet and carried into Spain. See also* Holmes' American Annals, 2nd edition, I. 125 (87, 87 1.).

Sir Ferdinando Gorges, Captain Chaloner, and the ship " Richard."

The next abstract is the answer to the complaints presented to King James by the Sieur de Buisseaux, French Ambassador in England. The first of these relates to Newfoundland. To the fourth complaint concerning Virginia, Captain Argoll acknowledges that he took the French ship in question (about which Admiral de Montmorency wrote to James I.) within the limits of the

Captain Argoll.

English Colony, because she tried by force to intrude there against the privileges granted to the Virginia Company, but that nevertheless said ship had been restored at the request of the French Ambassador. And His Majesty wishing to give the Ambassador every possible satisfaction has ordered Captain Argoll to give his reasons for this arrest whenever the Ambassador shall desire, and that Tucker, his Lieutenant, shall do likewise on his return. To the eighth complaint it is answered the Marquise de Guercheville has no reason to complain, or expect any reparation, seeing that her ship forcibly entered the territory of said colony (of Virginia) to settle and traffic without permission to the prejudice of treaties and good intelligence between the two Kings (88).

Admiral de Montmorency.

Marquise de Guercheville.

A supplication of certain Walloons and French who were desirous to go into Virginia was in July 1621 addressed to Lord Ambassador Carleton who enclosed it to Secretary Sir George Calvert (114–16). The fifty or sixty families consisted of nearly 300, all of the reformed religion, among whom were men of all trades and occupations. They wished to live in "a town or in a corporation by themselves," and to have the grant of a territory of eight English miles all round with certain rights and privileges. The signatures and calling of each are appended in the form of a round robin (in the first volume of this Calendar). The King referred this proposal to the Virginia Company, and their answer was sent to Carleton by the Secretary of State (116 I.). The papers in this addenda make this transaction more complete.

Walloons and French to settle in Virginia.

Sir William Berkeley, whose commission is dated in August 1641 (193), remained Governor of Virginia upwards of 35 years. His letter of recall is dated 5th November 1676. In regard of his age and infirmities which make him less able to undergo the great burthen and fatigue of

Sir William Berkeley, 35 years Governor of Virginia.

business in Virginia, especially at this time when evil-disposed persons have much increased the difficulties and troubles of his employment there, the King is pleased to give him permission to retire and repair to England to give account of the present commotions of the Colony (1109).

The King's letter of recall.

In the warrant to the Attorney-General to draw a commission for Sir Henry Chicheley to be Deputy Governor during Berkeley's retirement, the King graciously expresses his sense of Berkeley's long faithful and successful services to himself and his Royal father, and says, that though willing to give him leave to retire for his ease and the recovery of his strength, yet he will not take from him the title and dignity of Governor (1032). According to a long document of 12 closely written pages, presumably written in May 1676, with the title "Complaint from Heaven with "a hue and cry and a petition out of Virginia and Mary-"land to King Charles II. and his Parliament," Governor Berkeley had "altered by marrying a young wife from his wonted good" (937). What authority there is for this statement cannot be ascertained, as there is no signature and the handwriting seems to be feigned as is the case with so many anonymous communications. About the same time a petition of "your poor distressed subjects in the upper parts of James River" was addressed to Governor Sir William Berkeley (921). In it they complain that the Indians have most barbarously and inhumanly taken and murdered several of their brethren and put them to most cruel torture by burying them alive; that they are in daily danger of losing their lives and are afraid of going about their domestic affairs, and they request that officers may be chosen to lead this party now ready to take arms in defence of their lives and estates. It is not the petitioners' desire to put the country to any charge, but they implore the Governor's speedy answer as the Indians

daily approach nearer to their habitations. There is evidence that this petition was presented to the Governor, but it was ignored by Berkeley, and most probably led to Bacon's rebellion. Soon after the outbreak, William Sherwood wrote to Secretary Sir Joseph Williamson that a great number of indigent and disaffected persons, stirred up by Nathaniel Bacon, junr., of but little experience, and but of two years' continuance in the Colony, who "thinking himself wiser than the law, raised forces by "beat of drum to obstruct the proceedings of the Assembly "to the terror of His Majesty's good subjects . . . . "the rabble giving out they will have their own laws, "demanding the militia to be settled in them with such "like rebellious practises." This country, says Sherwood, has had 34 years' experience of the valour, conduct, and justice of their Governor, whose declaration will inform more fully of their condition (939, 939 I.). Bacon's rebellion.

The papers now calendared furnish a very full account of this rebellion, and supply details of interest not before accessible to the historical student. Take, for instance, the journal of the ship "Young Prince," Robert Morris, Commander, which contains almost a daily record of the progress of events, and the names of the principal persons concerned, with other details not to be found elsewhere, "during the time she was in the King's service in James River," from 19th September 1676 to 29th January 1677, when "the country being reduced we went about our own business as per the Governor's proclamations" (1035). The Secretary of the Colony, Philip Ludwell, as well as William Sherwood, sent to Secretary Sir Joseph Williamson very full accounts "of the distressed condition of this "poor country, both from the Indians and the rebellious "mutiny, which has come to that prodigious height that "indeed I think no story (wrote Ludwell), either ancient

" or modern, can outdo, blood only excepted" (964–5). " Bacon's letter," his appeal to the people of Accomack, his declaration signed "Nath. Bacon, General by the consent of the people," and his manifesto, contain in his own words the justification of his conduct (941, 969, 1010, 1031); while " the Virginians' plea for opposing the Indians " without the Governor's order humbly offered as the test " of their utmost intentions to clear and vindicate them " from all misapprehensions of disloyalty and disobedience," and "the humble appeal of the volunteers to all well-minded and charitable people" (909) must not be overlooked (962). The news of Bacon's rebellion does not seem to have been known to the British Government until quite three months after the first outbreak. Secretary Sir Joseph Williamson received Ludwell's relation of it on 3rd September 1676 (964), and another month elapsed before the King issued an Order in Council directing the Master General of the Ordnance to cause certain stores, as per estimate, to be forthwith provided and transported to Virginia (1047–8). Commissions were then signed for the officers of the five companies of foot in His Majesty's regiment of guards to be employed in the expedition, in which the names are given (1055). We have also the names of the officers and soldiers going on board the men-of-war to Virginia, a total of 1094 on board eight ships (1091–2), soon after increased to 1,130 men when the provision to be made for them was " approved by His Majesty last night " 5th November (1114). Two colours for each of the five companies of the King's foot guards were to be prepared by the Master of the King's Great Wardrobe, the designs for each being described in the warrant (1112). The King issued, on 27th October, a proclamation for suppressing " a rebellion lately raised within the plantation of Virginia," declaring all such as have taken arms under Bacon guilty

The King's Proclamation for suppressing it.

of high treason, and offering a reward of 300*l.* sterling for the apprehension of Bacon (1087). But Bacon had died of a bloody flux the day before the date of this proclamation.

Reward for Bacon's apprehension. His death.

Now the rising of the Indians, the immediate cause of the rebellion in Virginia, was by no means confined to that Colony; it spread northwards, and was devastating and threatening to destroy all the English plantations in America. "The hand of God has been heavy on the land, more especially upon the town of Boston," writes one in May 1676 (928). Plymouth, Deauxborough, and Bridgewater are great part destroyed, and Captain Bradford and his son both slain. Mr. Russell, the magistrate and country treasurer, is dead; and few families in town or country but have some dead or sick. Sickness is among the enemy, and some report small-pox which is very fatal to them. The year before, in June 1675, Benjamin Batten of Boston sent Sir Thomas Allen, at the Navy Office, a graphic account of events which preceded the general insurrection (614). It seems that Philip, the Indian Sagamore of those parts, "of a subtle mutinous temper," had retired with 600 armed men to a place difficult of access, because of a thick swamp and rocks, a promontory called Mounthope, in sight of Rhode Island and 40 miles from Boston. He had quarrelled with those of Plymouth for pretended trespasses on his lands, but Boston mediated. Afterwards, he and two of his chief men were tried for murder, Philip "was cleared but the chief men were executed, at which "he was enraged." Batten gives an account of the daily occurrences from June 21st to July 6th. The Indians offered to join battle, but we dared not venture till more help came from Boston; plenipotentiaries attempted to mediate, but Philip would not speak with them; they met in their journey the bodies of Englishmen without heads,

General rising of the Indians.

Account of the Insurrection.

"their barbarous way of triumph." Then there was a good bit of skirmishing in which many were killed on both sides and many houses were burnt, so that we "have "reason to suspect that this is a general insurrection "among the Indians." Six months after this, Governor Leverett reported to the Secretary of State the state of the plantations in New England, "by reason of the Indian natives rising up in hostility." He explained that our taking to arms was not a matter of choice, but necessitated for defence of the King's rights, upholding authority in the government and defending the rights of the subjects against the barbarous rage and inhumanity of the pagans who "have not assigned any cause of their acting." Their most dangerous enemies are the Narragansetts who supply Philip with men, and entertain his men, women, and children. The English have lost about 300 men, 200 in battle, "the rest by their skulking upon travellers or labouring men." Their ranging has been as in a crescent from Mounthope, where they first rose, westward and northward to Connecticut, northward and eastward to Kennebec, through the country about 300 miles. The county of York, called the Province of Maine, is much wasted; in the whole, seven villages have been wasted, and houses, corn, and cattle destroyed. Josiah Winslow, Governor of Plymouth, had advanced from Boston with nigh 600 men to the rendezvous in the Narragansett country where he will make up complete 1,000 men "under his control." With this letter, Governor Leverett enclosed a "Proclamation of the Massachusetts, setting "forth the reasons of the war against the Indians" (745 I.).

In continuation of this account Samuel Symonds, Deputy Governor of Massachusetts, "by order of the Council," informed Secretary Williamson that he had hoped to have

given a better account " of the war with the pagan natives " " . . . but our calamities since that time have been much " augmented." He relates how, in the depth of winter, Governor Leverett marched into the Narragansett country after much hardship, and assaulted them at their head-quarters in a rude fort made in a great swamp where many hundreds were slain, their wigwams destroyed, and they driven forty miles up into the Nipnet country, towards Connecticut river, whither they were pursued and many slain. The English had 70 killed, and twice as many wounded. They have been out in pursuit more than 100 miles to the westward, and over Connecticut river, but cannot meet with any body of them; they leave their women and children in hideous swamps and inaccessible places, and themselves disperse in small parties all over the country, and by ambuscades and secret skulkings so infest the highways that many travellers have been cut off; then on a sudden, multitudes gathering together, fall on the out towns which lie dispersed a great distance from one another. Then having fired the deserted houses, barns, &c., they as suddenly disappear before any relief can come, so that many country towns and farms are destroyed in Plymouth, Connecticut, and Maine. Since the beginning of the war above 500 of the King's subjects have been slain, towns and villages ruined, houses not to be numbered burnt, people much distracted, husbandry and trading obstructed, and scarcity of bread, corn, and provisions to be feared. Forty years since, adds the Deputy Governor, the Indians had no guns and there was a strict law against selling them powder; but in a short time they were furnished by the French and Dutch, and many affirm the Indians are encouraged by the French in Canada and by the Dutch from Fort Albany (876).

Three months after the date of this letter Governor

Leverett, on 15th June 1676, again reported the state of affairs to Secretary Williamson. He takes up the narrative from his previous letter which is more fully related by the Deputy Governor in his letter, and goes on to say that the forces of the Colonies marched forth taking prisoners and killing many, some of their principal sachems, amongst others Quananshit, the chief sachem of the Narragansetts. Philip assailed the western towns on Connecticut river, but was repulsed, and "this last week about 100 slain." The eastern parts are quiet, and "many come in and are coming in professing a desire to "be at peace. The hand of God has been heavy on the "Colonies by an epidemical distemper of colds, and "thereby putrid fevers . . . yet resolved to prosecute "the war to the utmost, and hope in His good time to "give an account of the Lord's delivery of them." Since December, by the nearest computation, they have had slain and taken captives about 340, forty being captives of whom twenty redeemed (952).

William Harris also, in five closely written pages, writes Secretary Williamson in the following August a very full account of the insurrection, in which the Indians killed his son and a negro, burned his house, drove away his cattle, and burned fifty loads of hay. He gives many details of the war not in the Governor's or Deputy Governor's letters. In the spring, 1,300 English marched up the country and slew about sixty, "but could not come up with the nimblest enemy." After this the Indians did many mischiefs to the towns of Massachusetts, and Captain Pierce fell into an ambush of 1,000 of them at Blakstones river near Rehoboth, and his ammunition being spent, all his men save a few were killed. The thousand Indians went to Rehoboth and Providence where they burned houses and killed cattle and stragglers. The Connecticut forces took

the greatest man of the Narragansetts, Nau-naun-ta-nute, whom they gave over to Uncas' son to slay, Uncas himself having thirty years since slain Nau-naun-ta-nute's father. The news from every quarter is that the English prevail. Within a few months 700 Indians have been slain, taken, and come in, and they have little provision and ammunition and are lean and dismayed, and pray that they may live. Philip is supposed to be with about 1,000 men in the swamp where the first fight was near Mounthope. "The English are supposed to have lost 1,000 souls in the war." He acknowledges the power of God in punishing the blasphemies of the Indians "as fig leaves," he says, "could not cover shame "or sin, so the green leaves of the wilderness could not "cover our unjust enemy." News has been brought from Virginia of destruction done by the Indians, which shows that the contrivance of the war went far. "Our little "boys cry to go out against the Indians, and run on "them without fear." And he concludes in a postscript: Since the capture of the great man of Narragansett the war has gone against the Indians. Between March and August 2,000 have been killed, taken, come in, and it is supposed 1,500 before, and a thousand or fifteen hundred English slain from the first. Great loss among the Indians by sickness; from all causes they have lost about seven thousand. Before the war the Indians lived with more ease than poor labouring men and tradesmen in England. News has come this 12th August that Philip was slain in a swamp a mile from Mounthope, being set upon by Captain Church of Plymouth and Captain Sandford of Rhode Island, each with 40 men. Philip was shot through the heart by an Indian, and his head and hands are now on Rhode Island (1021). Governor Berkeley said the Indians had destroyed divers towns in New

England, killed more than a thousand fighting men, seldom were worsted in any encounter, and have made the New England men desert about a hundred miles of ground they had seated and built towns on. "They will not recover these 20 years what they have lost" (858–9). Sir Jonathan Atkins, Governor of Barbadoes, in describing "our misfortunes by the negroes first, and then by the hurricane," says, "we retain one advantage, we sleep "not so unquietly as the rest of our neighbours in "America, from whence we receive nothing but ill news "of daily devastations by the Indians," and that they spread like a contagion over all the continent from New England to Maryland and Virginia, neither is New York without apprehension (862).

The Northern Colonies will not recover in 20 years.

We learn from his petitions to the King (585–8) that the William Harris above-mentioned had been "a weary "traveller for the space of almost forty years in the "wilderness of New England, and was one of the first "Englishmen that purchased land, called Patuxet, of the "most superior Indians in the Narragansett Bay, until "persons from Rhode Island, Massachusetts, and New "Plymouth, under pretence of other purchases, entered it." He knew most of the leading men in New England, the Governor of Connecticut, Winthrop a prudent moderate man, Deputy Governor Leet, and some of the assistants, wise men and devout for their churches, the Governor of New Plymouth, Winslow, a very wise moderate man, the Governor of Massachusetts Leveret, their Deputy Symonds, and Assistants, very devout men for their churches, the Governor of Rhode Island, Coddington, the Deputy Easton, and Assistants, some of them called Quakers, some called Generals (531). In another paper Harris gives a graphic account of New England. There were between 7,000 and 8,000 foot, and 8 or 10 troop of horse,

Leading men in New England.

Account of New England.

each troop between 60 and 80. Twelve ships between 40 and 80 tons were built every year in Boston, Salem, and that jurisdiction. "I came over (he says) in a ship built there of 200 tons, with 14 guns." There are three or four ironworks. The merchants seem to be rich men, and their houses as handsomely furnished as most in London. Their trade is described and may certainly be called free. Their money is of "pretty good silver," in the middle is a pine tree (with which the country abounds); the value of their shilling is but 9*d.* sterling, the pieces usually current are only 2*d.*, 3*d.*, 6*d.*, and shillings; Jamaica supplies them with silver. The houses are of brick and stone, but most of timber of two or three stories. They have three meeting houses set round with galleries, each as large as an ordinary parish church. In Rhode Island, "the garden of New England," the houses are very good, especially at Newport, where are more sheep than anywhere else. The town and trade of Connecticut not considerable. Plymouth, Connecticut, and Massachusetts are in a confederacy, called the United Colonies, but Rhode Island is not. The soldiers are all of the inhabitants and exercise twice a week, their horsemen wear buff coats, pistols, hangers, and corslets; every soldier bears his own charges, except in war with the Indians; all able bear arms, except a few Anabaptists and the Quakers, who will not bear any. The Governors chosen by all the freemen. John Leverett, Governor of Boston, a resolute man, the election is yearly, but he has been Governor three years since Bellingham's death; John Winthrop, a very good sober man, has been Governor of Connecticut 20 years, and 11 years ago got a Patent from the King; Josiah Winslow, a moderate man, is Governor of New Plymouth; and the Governor of Rhode Island is William Coddington, a Quaker. The most tyrannical ministers to those that differ from them

Rhode Island.

Connecticut. Massachusetts.

are the Presbyterians, amongst the fiercest Mr. Thatcher, "the only man in the country that keeps a coach." The greatest part of the ministers are Presbyterians, Anabaptists, and Quakers; in Rhode Island Anabaptists and Quakers rule. There is a considerable party in all the Colonies called Common Protestants, who in Massachusetts are not permitted to bear any office but constables, though in Rhode Island they enjoy the same privileges as others. There is a college at Cambridge, three miles from Boston, where many preachers, physicians, and Indians are bred, but no lawyers. It has translated the Bible into the Indian language. In Massachusetts there are three or four congregations of Indians called Praying Indians, distinguished from the others in Rhode Island, who are unconverted. Formerly there was a fencing school in Massachusetts. Gaming not allowed. Cloth they make, but the better sort of linen is brought from England (543).

Maine and New Hampshire.

Ferdinando Gorges' title to Maine and Robert Mason's title to New Hampshire are fully described; all the papers concerning these controversies may readily be found by means of the Index.

Carolina.

The "Shaftesbury Papers" materially add to the value of those calendared in this volume relating to the settlement of Carolina. Every possible inducement was held out by the Lords Proprietors to "all ingenious and industrious persons" who would go over. Liberty of conscience, choice of their own Governor, and Assembly from among themselves, freedom from customs on all exports for seven years under certain conditions, 100 acres of land to each male, and 50 acres to a female, paying 10*s.* for every 1,000 acres to the Lords Proprietors, with other advantages (377). Soon after Sir John Yeamans was appointed Governor in 1671 the gentlemen chosen for an Assembly for Clarendon County, with the consent of the

Governor, addressed the Lords Proprietors, supplicating the redress of three grievances, the halfpenny per acre for land, the "undecimal division" of land, and the injunction on penalty of forfeiture of keeping one man upon every 100 acres. This document has 14 signatures (390).

The Earl of Shaftesbury's letters.

In the summer of 1675 the Earl of Shaftesbury, his Secretary and friend, John Locke, were the leading spirits in the early settlement of Carolina—many letters signed "Shaftesbury" are wholly in Locke's handwriting—wrote three letters on the same day to "his very affectionate friends the Governor and Council," to his very affectionate friend Andrew Percivall of St. Giles plantation on Ashley river, and to his very sincere friend Maurice Matthews, about a new colony of Quakers. "They are people," wrote the Earl, "I have had transactions with here, and am concerned to have a particular care of," and he recommended the Governor and Council to give them such usage as may encourage them to invite over the rest of their friends, "who intend to follow in a considerable number." "A whole colony" of 12,000 acres was to be set out for them, as they intended within five years to build a town of 30 houses, with 100 inhabitants at least, "to each of which houses (*sic*) must belong as a town lot "70 acres inseparable for ever" (576–8). The next day Lord Shaftesbury wrote another letter to the Governor and Council, expressing his great dissatisfaction at the manner in which his "particular care of them, and "their settlement, ever since they first sat down upon "Ashley River" had been acknowledged. Last year when the Lords Proprietors' expectations of returns grew weary, he got them to consent to a new method of supplying them. "If," continues Lord Shaftesbury, "they will be so much friends to themselves as to lay "down any rational way that will satisfy the Lords "Proprietors, they mean to pay for the things sent to

John Locke.

A Colony of Quakers.

Supplies.

Dissatisfaction of the Lords Proprietors.

" them, and not any longer to give cause to apprehend " that for 90,000*l.* or 100,000*l.*, the Lords have purchased " nothing but the charge of maintaining 500 or 600 " people," then he may be able to persuade the Lords to send a further supply. He makes them " a fair proposal," and promises, if accepted, "nobody shall want supplies " for the future, who will pay for them at moderate " rates" (581). About this time Seth Sothell," a person of considerable estate in England," went out with an intention to plant in Carolina, and take up a manor of 12,000 acres, with people he will take over. He was the bearer of a letter to the Governor and Council at Ashley River from Lord Shaftesbury, who begged them to use him kindly for their own interest, since nothing " can so " much contribute to the growth and prosperity of the " plantation, as that men of estates should settle amongst " them" (584). And at the same time, the bearer John Smith, Lord Shaftesbury's particular friend, " brings " his wife and family, and a considerable estate, " with intention to plant," and intends to take up a manor (590). There is a long letter from the Lords Proprietors to the Government and Assembly of the county of Albemarle, in which their Lordships assure them they will never part with the county of Albemarle, " but will always maintain our Province of Carolina " entire as it is." Thomas Eastchurch, " your Speaker " was, a month after the date of this letter, 21st October 1676, appointed Governor and Commander-in-Chief of Albemarle (1075, 1142). A large folio volume containing the record of all grants of land in South Carolina from the first establishment of the Colony, with names of grantees and situation of grant to 31st October 1765, will be found abstracted, but only those grants for the years 1674 (the earliest date) to the year 1676 are tabulated in this volume (717, 1224).

Seth Sothell.

Ashley River.

Albemarle.

There are many references to Maryland. In a letter to the Archbishop of Canterbury, in August 1676, John Yeo laments the deplorable condition of Maryland for want of an established ministry. He says there are 10 or 12 counties in this province, with at least 20,000 souls, and but three Protestant ministers of the Church of England. The Popish priests and Jesuits are provided for, and the Quaker provides for the speakers in their conventicles, but no care is taken for those of the Christian religion. The Lord's day is profaned, religion despised, and notorious vices committed, "so that it is become a Sodom of uncleanness, and a pest house of iniquity." Now, Yeo urges, is the time for His Grace to be an instrument of universal reformation amongst them. Cecil Lord Baltimore is dead, and Charles Lord Baltimore bound for England, to receive the King's confirmation. Doubts not His Grace may prevail for the maintenance of a Protestant ministry, as in Virginia, Barbadoes, and all other His Majesty's plantations which will encourage able men to come among them. The Archbishop sent this letter "from a person altogether unknown" to him, to the Bishop of London, and told him the design seemed so honest and laudable, that "I conceive it concerns us by all means to promote it," and he makes no question that if the Bishop will remember it when Lord Baltimore's affair is considered at the Council table, there may be a convenient opportunity to obtain some settled revenue for the ministry in Maryland. When that is once done, writes the Archbishop, it will be no difficult matter for us to supply them with those of competent abilities both regular and conformable (1005, 1005 I.).

Maryland.

The Archbishop of Canterbury.

The King, by Commission dated 24th July 1674, appointed Major Andros and Anthony Brockhurst to demand and take possession of the Colony of New York from the Dutch

New York.

"by virtue of the 6th Article of our last Treaty with the States General." His Majesty, having granted said Colony to the Duke of York, commands them as soon as they shall have possession to comport themselves as to the future government and revenues according to the Duke of York's instructions (400). A few months later, in February 1675, Colonel Francis Lovelace "late Commander of the Fort of New York," for not having defended it, was committed to the Tower. He besought the King to appoint Commissioners to examine him in order to clearing himself. So a warrant was issued to the Duke of Monmouth and others directing any five or more of them, with the Judge Advocate, to examine Colonel Lovelace concerning the rendering the said fort and Colony to the Dutch in the late war, and report to His Majesty what he has to say upon the whole matter. The same day the Lieutenant of the Tower was ordered to send Colonel Lovelace at such time and to such place as shall be testified under the hands of the Duke of Monmouth and the rest of the Lords appointed to examine him (441–2). Neither of these are printed in Broadhead's New York Colonial Documents (11 vols., 4to.). Colonel Lovelace was still a prisoner in the Tower at the end of April, when we find him dangerously ill of a dropsy, and he was, by warrant, allowed to have his liberty, on giving security in 500*l.* to render himself again a prisoner when duly required (530). In "a narrative of the settle-" ment of the corporation of Massachusetts Bay, and "Captain Wyborne's account of things," laid before the Lords of Trade and Plantations, it seems that Wyborne had proposed to the Boston Magistrate the reducing of New York, offering his service with the King's frigate, but received for answer "that they would contribute their "endeavours provided it might be annexed to their Govern-" ment," and if this were refused, they had rather the

Colonel Lovelace committed to the Tower.

possession of New York remained with the Dutch than come under such a person as Colonel Lovelace who might prove a worse neighbour (721). When Major Andros was governor the Duke of York applauded him for discouraging any motion for an Assembly, as being not comprehended in his instructions, nor consistent with the form of government established, nor necessary for the redress of grievances, "as such may be easily obtained by an Address to the Governor" (513). And in another letter, nearly a year later, the Duke declared that he could not but suspect an Assembly would be of dangerous consequence, nothing being more known than the aptness of such bodies to assume privileges destructive to the peace of the Government. "I do not see any use of them which is not as well "provided for while the Governor and Council govern "according to laws established." However, the Duke goes on to say, if Governor Andros continues of the same opinion, he will be ready to consider any proposals to that purpose (795). There is a large folio MS. Volume of 433 pages containing the records of all grants of land in New York from the first establishment of the Colony in 1664 to the end of the administration of Lieutenant-Governor Delancey in 1760, and from 1761 to 1765 (371).

Major Andros, Governor.

The Duke of York and an Assembly.

There are numerous papers relating to Newfoundland, many of which concern the fishery and furnish statistics of value, while others refer to the government of the country, and the total abandonment of it as a settlement or colony. Sir John Berry, writing from Her Majesty's ship "Bristol" in the Bay of Bulls, to Secretary Williamson, in September 1675, reports that this year there were 175 ships with 4,309 men and 688 boats which, at 250 kintals per boat at 12*s.* per kintal amounted to 103,200*l.*; 7 hogsheads of oil per boat at 40*s.* per hogshead is 9,816*l.*, besides 20 kintals of "core fish" 3,440*l.*, all which comes to 116,272*l.* There

Newfoundland.

Statistics of the Fishery.

were planters 1,655 men, women, and children, who employed 277 boats and cured merchantable fish mostly shipped to England valued at 46,813*l.*, more than a third of the fish taken by the merchant adventurers. "By this," says Sir John Berry, "His Majesty will see what a "loss he will have if those poor people should remove, for "they design to settle amongst the French on the other side "of Cape Race unless His Majesty will let them continue" (665). The above figures slightly vary in the accounts of Captains Russell and Wyborne, furnished by order of the Lords of Trade in 1676, while the total of English inhabitants is set down at 1657, or two more than the year before (1175 XII.). In another letter, Sir John Berry encloses "a list of the planters' names" (666 II.).

The Settlement to be abandoned.

The arguments for and against a settled government in Newfoundland, or the plantation being abandoned (470, 475), were the subjects of "great debate" on several occasions at the Board of Trade and Plantations (482, 498, 524). The Board reported to the King that unless they saw reasons for a colony they could see none for a Governor, and against a colony there were not only the rigours of the climate and infertility of the land, but the inhabitants chiefly consumed the products of New England and would in time tread in the same steps to the loss of England, for a like regulation on the products of Newfoundland as on those of other plantations could not be expected, because fish cannot bear the charge of coming home but must go directly to the markets abroad. So an Order in Council declared the King's pleasure that all inhabiting that country be discouraged, and that all planters come voluntarily away, and His Majesty's convoy assist in transporting those desirous to return home or to betake themselves to other Plantations (550). Some three months after the date of this Order in Council, Sir John Berry

reported to the Secretary of State that he had declared the King's pleasure to all the planters, but the greatest part are too poor to remove unless His Majesty will send a ship for them, "and at last they must be put on the parish when-"ever they come. A labouring man will get in a summer "season near 20*l.*, and their daily food comes out of the sea, "while such a person would not get 3*l.* in England." He has, he says, made diligent enquiry into all those things laid to the planters' charge by the merchants, and finds most of them false, "but some self-ended persons have a mind to engross all into their own hands." If these be removed from the country, argues Sir John, His Majesty's subjects would, in a few years, find the ill-effects of it, for undoubtedly the greatest part would settle among the French where they are already invited with great promises, or else for New England, and they implore His Majesty's favour to continue and promise all obedience, to what orders shall be given (628). "I cannot but pity the poor inhabitants," says Sir John Berry in another letter, "considering so "many false informations have been laid to their charge "as formerly reported" (744, *see also* 769).

Jamaica.

"A particular list" specifies the names of the officers of the five regiments and a troop of horse "under the command of General Venables (212) destined for Jamaica. Vice-Admiral Penn reported to the Navy Commissioners on the 17th March 1655, "what a gallant passage the Lord gave "us, and that both seamen and soldiers were in health and "in a quiet and cheerful posture" (213). They had arrived at Barbadoes nearly two months before on 29th January, and seized all foreign ships trading there contrary to law. Fifteen were fitted for transportation of the forces raised in the Island, above 3,000 foot and two troops of horse. Penn dwells on the great increase of the number of mouths made by this accession, and begs the Com-

missioners consider how much "this great and honourable design" is concerned in the care that shall be taken touching supplies. The English took possession of Jamaica on 10th May 1655, the people found upon the place to the number of 1,400 having fled to the hills except some negroes and Portuguese who submitted.* About four months after Major-General Sedgwick arrived in Barbadoes road "with the whole squadron, God was pleased to smile upon us in a very comfortable passage." He tells the Navy Commissioners there is no news since "the repulse "at Hispaniola. I hope God hath brought down our con- "fident spirits to fill us for some more noble work. Many "(he says) think Jamaica a more considerable island than "Hispaniola and may effect more than the other. I find "both soldiers and seamen active and willing and not "discouraged, and therefore I hope God has yet a blessing "for them and that this design is his and that he will own "it" (221). Both Penn and Venables arrived in England about the date of this letter, 6th September 1655, and after having given a narrative of their proceedings to the Council of State were apprehended and committed to the Tower, General Robert Venables, General of the English forces sent to America, for having "deserted the army committed "to his charge contrary to his trust; General William "Penn, General of the English fleet sent to America, for "having, 'without license, returned from thence contrary "his trust.'" General Penn was a prisoner in the Tower five weeks, General Venables a week longer, but they were then released "in consideration of their acknowledgment of their fault and their submission."†

England takes possession.

Generals Penn and Venables committed to the Tower.

On 10th October, Cromwell issued a proclamation giving encouragement to such as shall transport themselves to

Cromwell's Proclamation.

* First Vol. of Colonial Calendar, p. 429. † *Ibid*, p. 429.

Jamaica. Being satisfied with the fertility of the Island and its commodiousness for trade, we have resolved to use our best endeavours to secure and plant the same, and to this end make known, especially to the people of the English Islands and Colonies, the encouragements we have thought fit to give to those who shall remove themselves (229). And first the Lord Protector refers to the security of the Island. Above 6,000 soldiers were landed there in May last, and in July a regiment of 800 men, "drawn out of our old regiments in England," with eight ships of war added to twelve others left there by General Penn under command of Captain William Goodson. Those removing thither to be under the immediate protection of the State, every male of 12 years and upwards to have 20 acres of land, and 10 acres for every other male or female. Liberty for seven years to hunt and dispose of horses and cattle on the Island, and no custom, excise, or duty to be paid until September 1659. All born within the Island and professing the Protestant religion to be free denizens of England. Cromwell resolved to use all possible endeavours to people and plant Jamaica, and to that purpose dispatched Daniel Gookin to New England to make agreements with those willing to go to that Island, and in all the plantations and islands in America was this proclamation issued (232). A Committee was appointed in England for the business of Jamaica and to consider the removal thither of people from Nevis and the allowance for 1,000 Irish girls and youths to be sent to Jamaica.* Admiral Goodson reported in June 1656 that he was sending ships from Jamaica to Nevis for about 1,000 people besides women, children, and servants (p. 111). When Major Sedgwick arrived in November he "found "both Commissioners and both Generals gone and not "any sign remaining that ever there was a commissioner

to encourage the settlement of Jamaica.

* First Vol. of Colonial Calendar, p. 430.

" in these parts of the world." At his first landing he found the whole shore covered with butts, barrels, and chests of dry goods, as clothing, arms, surgeons' chests, &c., lying exposed to all the damages imaginable, when a week's time with soldiers or sailors would have built a house to receive them all. " I am certainly affirmed," he writes to the Admiralty Commissioners, that soldiers have offered to sell dozens of shoes for 12*d.* the pair, new and good (236). The state of our Army is sad as God has visited us with a sore hand of sickness, tearing and snatching us away in much displeasure. Major-General Fortescue, Commander-in-Chief, died about 14 days since reports Sedgwick on 14th November, and since he came not less than 700 are laid in their graves; the greatest part of the Army is sick and many of our new regiment that landed in health and about 50 of them dead. Sedgwick begged that he might return home, his condition agreeing not well with the climate; he fears he shall not long trouble it, but he does not go ashore oftener than business calls him. "I beg your prayers, we all need " them, our condition calls aloud to you, the Lord make " you prevail for us " (236–7). About six months after this letter was written Captain Godfrey reported to the Admiralty that by the pale hand of death they were deprived of Major-General Sedgwick on 24th May 1656, and three days afterwards of Captain Leonard Harris. " Mortality " (he adds) " has not yet left off reigning here " (261). A list of men well and sick, women and children, in the seven regiments shows that considerably more than half were sick, there being 2,194 well, while 2,316 were sick, and 172 women and children (240). Cornelius Burough, the Steward General in Jamaica, wrote " I am here alive through mercy, when thousands have gone to the place of silence " (278).

Sickness and Mortality in the Army.

Energetic measures for relief were taken by the Home

Government, and at the numerous meetings of the Council of State at Whitehall it was ordered that supplies and provisions of all sorts and medicaments be sent to Jamaica without delay (225–8). These included beef and pork, bread and rice, brandy and spices, clothes, all sorts of agricultural instruments, lamp-wick, tallow candles, and two skiffs 20 and 30 feet long, with spars, axes, and hatchets, with one or two glaziers, smiths, and masons, and materials, coopers, carpenters, calkers, and armourers. Provisions were likewise taken up at New England (245). The Commissioners of the Admiralty and Navy subsequently made an elaborate report to "His Highness" on the condition of the fleet and the state of the Island which Cromwell approved and then empowered them to act upon; six "nimble frigates," with 750 men, were to be sent out, and victuals for 4,000 men for six months at 2,000*l.* to the Commander-in-Chief to carry on the necessary works and other emergent services (289). In March 1658 Captain Myngs reported that the Island principally depends upon the transportation of people thither (297), but this was not lost sight of at home as will be seen by the numerous references in the index about peopling and persons going to Jamaica from Nevis, Barbadoes, and other places. All things, he said, go well out here, health stands, and every one is very sensible that the earth, with the other elements, naturally contribute to increase, as in other parts, and find more advantage in settlement here than in other parts (297). An abstract of the officers and soldiers "residing upon the Island of Jamaica," according to the muster taken in January 1659, shows there were at that time 2,041 and a troop of horse of 70 men (312). A year elapsed; it was not then known in Jamaica who were in power. "We are here just like you at home," writes Cornelius Burough; "when we heard of the Lord Protector's death

Energetic measures for Relief.

Numbers of People going to settle.

Changes through Cromwell's death.

" we proclaimed his son, when we heard of his being " turned out we proclaimed a Parliament, and now own a " Committee of Safety" (326). It was a sign of the times, and shows the new state of affairs in England was being accepted in Jamaica. "I desire you not to think I " insinuate into you upon the account of religion, a most " wicked cheat in this age," writes the Steward General in Jamaica. . . . "profession of religion makes people " suspected to be knaves." In the meantime the Island was suffering from the want of their usual supplies. The want of shoes and all things necessary for soldiers, writes Colonel D'Oyley, has this summer given such heart to the negroes that they have done more mischief than in the past two years, having snatched away a captain, two ensigns and divers soldiers, and killed others, which hath necessitated him to set an impost on strong liquors, which has had the good success of finding out where the negroes have lurked these four years undiscovered, who have built a town and planted about 200 acres of provisions. " I am " now in parley with them and doubt not a good issue" (332).

Lord Vaughan, the King's Governor of Jamaica.

Under Lord Vaughan's Government Jamaica was in a prosperous condition. In his letter to the Lords of Trade and Plantations of 28th January 1676, the Governor reports that trade and planting has considerably improved, the Island is exceedingly helpful, and the children born in it live and are very prosperous "so that the " Croyolians and natives will in a few years make a great " people." Some of the best quality from Barbadoes (p. 282) and those removed from Surinam (250 whites and 981 slaves [932]) proved a considerable addition, and most of them were well settled and exceedingly pleased with the Island (799). It was computed there were about 5,000 fighting men in Jamaica, double the number of women

and children, and treble the number of negroes (794). Lord Vaughan sent a very full "account of the present state and condition" of the Island, in answer to their Lordships' inquiries. There were then seven regiments of foot and one of horse, and about 60 or 70 vessels belonged to the Island. The Governor was anxious that the body of laws he had sent to Secretary Coventry should be approved, and His Majesty's assent given to them, and he says the sooner they are returned the better for encouraging people to come (799, 800). Among these was "An Act "for the perpetual anniversary thanksgiving on the 10th "May for the happy success and conquest made and "obtained in His Majesty's Island of Jamaica," which the Lords agree to report should be laid aside, "and the "solemnity discontinued, as too much reflecting upon the "circumstances of those times and of that conquest which "rather seemed to have been made in opposition to his "Majesty" (926). Charles II. "favored the Island" with a mace which was taken over in 1662 by Lord Windsor, and carried before the Governor on solemn occasions (p. 343). This mace is supposed to have been the "bauble" which Cromwell ordered to be removed from the table of our House of Commons. The present Speaker, the Right Honourable Arthur W. Peel, on the authority of the Governor of Jamaica, Sir Henry A. Blake, says it is probable this mace was in Port Royal in 1692 and went down with the public buildings and all the records in the great earthquake of that year. Lord Vaughan, "Captain General," had a salary of 2,000*l.* per annum, a troop of guards attended him, and his residence was at St. Jago (p. 215).

The Articles agreed on by Lord Willoughby of Parham, and Sir George Ayscue, Daniel Searle and Captain Michael Packe, for the rendition of Barbadoes to Sir George Barbadoes.

Ayscue for the use and behoof of the Parliament of the Commonwealth of England, were signed by Willoughby on 11th January 1652 (199), and approved and confirmed by Parliament on 18th August following. Captain Richard Nicholls was, by an Order of the Council of State, presented with 100*l.* "for his good service in bringing the "news of the surrender, according to the order of Parlia- "ment," and 10*l.* was paid to the person, the name is left blank in the original, who brought the *first* news of the surrender (200).

Sir Jonathan Atkins, Governor.

Sir Jonathan Atkins arrived Governor in November 1674. The first thing he did was to call a new Assembly, who "met so well tempered . . . that I have brought them to a right understanding, and we all live amiably." He believed there was not a spot of ground in the universe better planted or better inhabited, very fruitful, and always green the whole year. There was not a foot of land in Barbadoes not employed, even to the very seaside, and whoever will have land there must pay dearer for it than for land in England (p. 421). The Guinea corn produces a thousand grains for one grain. There were six regiments of foot, counting 8,000 men, and 14 troops of horse, or 800, and in a short time 2,000 could be mounted. Their misfortunes, the Governor adds, are from the hand of God, and not from any neglect of their own. 200,000*l.* will not repay the damage caused by the hurricane of August 1675 (811). Governor Atkins wrote an account of it to the Secretary of State. He described the ruin of houses, works, mills, sugars, and utensils as incredible. Their canes for next year's crop twisted and broken off, their corn and ground provisions, that should have kept their families six months, laid flat or rooted up. "Never was seen such prodigious ruin in three hours." Three churches, 1,000 houses, and most of the mills to leeward

Terrible Hurricane.

were thrown down, 200 people killed, whole families being buried in the ruin of their houses, a torrent of rain beating down all before it, unroofing all their store-houses, and wetting their sugars. "I never saw a more amazing sight in one night." All trees stripped of fruit and leaves, housing laid flat, and the people in such consternation and distraction that they resolved never to build again but to leave the Island. But many have changed their mind and are repairing as fast as they can, but a great many can never be able to do it. Twelve ships were driven ashore and broken to pieces, but the King's frigate "Foresight," perceiving the storm coming, saved herself by standing out to sea. "All the prodigious effects of this hurricane would swell into a volume and puzzle belief" (690). Colonel William Stapleton, Governor of the Leeward Islands, in his Answer to Queries concerning those islands, says in Nevis the "Hurri-Canes" have taught the people to build low (p. 499). Has the singular writing of this word anything to do with the etymology of it? It is supposed to be a native American word.

Inhabitants.

The inhabitants are described as of four sorts, viz.: freeholders paying yearly one ear of Indian corn to His Majesty; freemen, who having served their time, serve for wages; servants whose time is not expired, and negro slaves from Guinea, Cormantin, or Madagascar. There were 10,000 white men able to bear arms, 3,030 white male children, 8,695 white women and girls; total, 21,725. Negro men 10,525, boys 5,827, women and girls 16,121; total 32,473, in all 54,198.

Governor Atkins and Free Trade.

Governor Atkins held very strong views as to free trade and the Acts of Trade and Navigation. He argued that it was against all practice to refuse a free trade to any island, and that the King thereby lost 10,000*l.* a year customs in Barbadoes (862). There is one thing, he says,

that their Lordships [of Trade] may admit as a maxim, that wheresoever you intend to plant a new Colony you must make their port a free port for all people to trade with them that will come. He conceives the ordinary way taken for new Plantations to be a little erroneous, for if it be by societies of noblemen, gentlemen, and merchants, the two first will commonly venture no more than they will throw away at dice or cards. The merchants do it in hopes of extraordinary gain, but if the return come not in, the gentleman grows suspicious, the merchant grows "restie," and the people employed upon the place will make the best use of their time; but when the machine fails that supplies the people with provisions, &c., the engine must needs stand still, but if the bucket goes into the well the rope must needs go with it. He reasons why the Act of Trade and Navigation in England will certainly in time be the ruin of all His Majesty's Plantations. Who is the loser? His Majesty and all his poor subjects who labour for him (p. 424). When the Lords of Trade read these opinions and arguments, they took notice of his notion for a liberty of trade as necessary for settling a new plantation as dangerous and prejudicial to England itself, and resolved to give him a check for upholding this maxim of free trade. His insisting upon the inconvenience of the Act of Trade and Navigation confirmed their Lordships in the resolution of returning their severest censures of these "dangerous principles" contrary to the settled laws of the Kingdom and the apparent advantage of it. Still, upon the whole, their Lordships agreed to return their acknowledgments and approbation of his "discourse" (1084). In their report to the King, the Lords, "on the main matter" of this business, a dispensation of the Acts of Trade and Navigation, remark that they need not lay before His Majesty the evil consequences that any subjects

should presume to petition against the laws they live under and call them grievances; the whole frame of the trade and navigation would be destroyed by such a dispensation, which could only be done by His Majesty in Parliament, the whole nation being concerned in it. They conceive His Majesty's subjects of the Plantations would hardly presume to make any address of this kind to His Majesty (714 I., II.) were they not connived at by His Majesty's Governors, "and this we find to be the ground of this particular case," for if not the prompter Governor Atkins is the consenter with the inhabitants, and that he labours with more arguments than they do themselves, when it was the duty of the Governor on the contrary to have suppressed any such address. Their Lordships were therefore of opinion that it was very necessary for His Majesty's service that Governor Atkins should by letter from His Majesty be severely reprehended for his error and mistake by his concurrence in encouraging the people, and that for the future he should suppress any such notions, which tend to the ruin of trade (1116). And he was severely censured, although the King "chose rather to caution him upon this occasion," as a perusal of the King's letter to Sir Jonathan Atkins, which is printed verbatim at pp. 510–11, will show.

The King's letter of censure.

The King having dissolved the Council of Trade and Plantations by Order in Council of 12th March 1675, committed what was under their management to a Committee of the Privy Council, who were appointed for matters relating to Trade and Plantations, five to be a quorum, and to meet at least once a week and report their proceedings to the King (461, 603). One of the first acts of the new Board was to address a circular letter to all the Governors of the Plantations and to enclose heads of inquiry to which each Governor was required to send full

answers of the condition of the Plantation under his Government, the laws, revenue, officers, civil, ecclesiastical, and military forces in the King's pay, number of planters and people, trade, in short a complete account of the state and condition of the Colony (648–50). The answers to these queries received from the respective Governors are of considerable value, more especially those from Governor Sir Jonathan Atkins of Barbadoes, Governor Sir William Stapleton of the Leeward Islands, and Governor Lord Vaughan of Jamaica (800, 973, 1152), as they contain an exhaustive historical summary of the several islands at that particular period.

Leeward Islands, Governor Sir William Stapleton.

Sir Charles Wheler

Sir Charles Wheler, Colonel Stapleton's predecessor in the Government of the Leeward Islands, had fallen into the King's disgrace. The Articles agreed upon between Sir Charles and Mons. de Baas concerning the restitution of St. Christopher's (762–3) were not approved by King Charles, and certain orders that Governor Wheler had given, prejudicial to the King of Denmark's right and jurisdiction on the island of St. Thomas, His Majesty thought fit to disavow, and "has given evidence of our "dislike of his conduct in that and other things by "recalling him" (397). In an elaborate report of the Committee of Council for Plantations to the King (756), the principal points of difference between England and France in connexion with the restitution of St. Christopher's are clearly defined, and in this report and many other papers calendared the proceedings of Sir Charles Wheler are explained, and with his numerous letters describe all the negotiations, in which the French Minister Colbert and our own ambassador at Paris had a considerable share.

and the restitution of St. Christopher's.

Colonel Philip Warner.

Now Colonel Philip Warner, son of Sir Thomas Warner, was Deputy Governor of Antigua under Colonel Stapleton, the Governor-in-Chief, and concerned in a wholesale

massacre of Indians of Dominica, in which his pretended half-brother, Indian Warner, a reputed natural son of Sir Thomas, was killed. Early in February 1675 Governor Stapleton sent an account of this affair to the Council for Plantations (428). The Indians of Dominica, he wrote, have again committed murders and rapines upon Antigua, whereupon we empowered the Deputy Governor with six small companies of foot to go to Dominica to be revenged on those heathens "for their bloody and perfidious villanies," who killed 80, took some prisoners, destroyed their provisions, and carried away most of their periagoes and canoes, as their warlike vessels are called. His pretended brother, Indian Warner (reputed natural son to Sir Thomas), who was a great villain, fell amongst his fellow heathens.

His massacre of Indians.

The account of Governor Sir Jonathan Atkins of Barbadoes gives rather a different complexion to "the intemperate actings" described above. He says one Warner, Lieutenant-Governor of Antigua, "by an action of the greatest inhumanity," from what provocation he cannot tell, transported seven companies to Dominica, "a dependent of this Government," without taking any notice or complaint to Sir Jonathan, Warner's brother having a commission from Barbadoes as Lieutenant-Governor for the King, "the only person in these parts that "asserted the English interest and suffered imprisonment "and irons during the war for his service to the King." Colonel Philip coming ashore, his half-brother, "for they had both one father," joined him with the Leeward Indians to take account of the Windward Indians for injuries done to Antigua. After the action Philip invited his half-brother and his party to a treat, and having made them drunk with rum, caused them all to be massacred, not sparing his brother or little children. Governor Atkins incloses the examination of the master of the

sloop who was in the whole action "wherein you will find "a very tragical but I fear a very true story, the man "being a serious and intelligent man of his quality" (439). William Hamlyn, aged 23, commander of the sloop, deposed that in company with two ships they arrived with 300 men at Dominica on Christmas Day (1674). They were met by Thomas Warner who agreed to assist Philip with 60 Indians, about 40 were killed including three drawn by a flag of truce to come on board. Then Colonel Warner invited Thomas Warner and his Indians to the number of 60 or 70 men, women, and children to an entertainment of thanks, and having made them very drunk, gave a signal and some of the English fell upon and destroyed them. Afterwards an Indian calling himself Thos. Warner's son came on board Philip Warner's ship and told him he had killed his father and all his friends and prayed to be killed also, holding his head aside to receive a blow which, by Philip's order, was given him and he was thrown overboard. Deponent took an Indian boy in his arms but he also was killed, and he believed this slaughter was by the sole direction of Philip Warner, against the consent of his officers, several of whom he heard declare against it, and Cornet Samuel Winthrop ordered to kill Thomas Warner refused to do so (439 I.).

When the news of this massacre reached England, Charles II. directed a warrant to the Attorney-General to prepare a Bill containing a special commission of Oyer and Terminer authorising Governor Atkins and others to hear this matter and pass sentence agreeable to law and justice "to the end that so inhuman an attempt should "be duly examined and the persons convicted brought "to condign punishment." But the warrant passed no further and a letter instead was signed by the King to Sir Jonathan Atkins, *and* "*entered in the Plantation Book*,"

requiring him to try the parties accused according to the powers of his Commission (552). The letter in question (601) from Secretary Sir Henry Coventry is one of the most remarkable in this volume. In it Governor Atkins is told that His Majesty is highly offended, and comm nds that speedy and exemplary justice be done upon the person guilty of this inhuman act, that the offenders be proceeded against according to law, so that justice may be vindicated and the innocent blood that hath been so barbarously spilt fully avenged. And since, Secretary Coventry writes, "there is reason to believe that the Windward Islands "may have been much alienated from the English by "this action, His Majesty leaves it to the Governor to "give that people some signal and public demonstration "of his justice upon the authors by sending them some "heads and by some other proper way which he shall "think fit that they may be satisfied of the detestation "His Majesty and the whole nation hath of this pro-"ceeding of Colonel Warner's, and how ready His Majesty "will be to punish severely any of his subjects that shall "infringe the good understanding he desires to have pre-"served between them and his subjects." Governor Atkins wrote later on of the ill-effects of this massacre, "None can resolve the strength of the Indians, and by the "late attempt of Colonel Warner all correspondence with "them is taken from us by the death of Indian Warner" (p. 421). Governor Stapleton reported to the Lords of Trade, 30th April 1675, that two of his Deputy Governors were going home, Colonel Philip Warner "for some occasions of his own," and his own brother from Montserrat for his health (544). On his arrival in England towards the end of June, he was by the King's command committed prisoner to the Tower "charged with the murder of his "brother Thomas Warner, an Indian, and the destruction

King Charles II.'s remarkable letter.

Colonel Warner committed to the Tower.

" of other Indians, His Majesty's friends" (681, 688, 869). There are several Orders in Council and other papers about the venue of Colonel Warner's trial whether in Dominica or Barbadoes (688, 699, 705), which was ultimately fixed to take place in Barbadoes whither Warner was shipped. Governor Stapleton sent to the Lords of Trade a very strong letter in Warner's behalf with several depositions tending to show the untrustworthiness of Hamlyn's evidence, and that the child commonly called Indian Warner was simply an Indian slave (748, 748 I.–IV.). Colonel Warner himself, in a petition to the King, prays that his case may be re-heard in order that he may prove his innocence; annexes papers in his justification and reasons for being allowed to put in bail "in case it should be judged necessary to try him" (750, 750 I., II.). And then his mother, late wife of Sir Thomas Warner and widow of Sir George March, petitions the King that her son may have liberty to go to the petitioner's house at Limehouse, "that she may take care of his health, he being dangerously sick," finding security for his appearance (751). But Colonel Warner remained a prisoner in the Tower until a warrant, passed on 28th March 1676, to the Constable of the Tower to deliver Colonel Philip Warner into the custody of Captain Wright, to be by him conveyed on board His Majesty's ship "Phœnix" in the Thames, and conveyed to Barbadoes (855). After his trial Colonel Warner wrote to Secretary Williamson: "This "brings the good tidings of my deliverance after full "twelve months' imprisonment in England." He was brought to a public trial on 8th September 1676. His judges were 25 gentlemen from the Leeward Isles and Barbadoes, the jury from Barbadoes only. Warner says there was "great search to find evidence against me, but none found but to my advantage." Hamlyn proved

Sent to Barbadoes.

His trial and acquittal.

a perjured rogue, so the grand jury acquitted Warner and he was discharged by proclamation. He was returning to Antigua "where I promise myself a great deal of future content in a private retired life" (1029). Governor Atkins, in a letter to the Lords of Trade inclosing the report of the proceedings on the trial, says, Warner denied the whole fact and left it to proof which with art enough on all sides was easily carried, for the first informer being gone or carried away it was easy to persuade others who were in the action that by accusing Warner they would condemn themselves. The matter of fact is most evident, though it may be with all circumstances not so; but Governor Atkins leaves it to His Majesty and their Lordships judgment to determine. It has taken away a kind of outwork which secured the people of Barbadoes when they went for wood and other necessaries, and he doubts whether those gentlemen of the Leeward Isles will sleep very quietly for the Indians never forgive or forget injuries (1040, 1040 I.). But Governor Stapleton's comments should also be quoted. Colonel Warner, he says, is after great sufferings come off with credit by a learned ignoramus of the grand jury, and was cleared by proclamation, which could not be otherwise unless they would hang him, right or wrong. The fellow who falsely deposed against him is to be sent to Holland in irons, upon a letter Stapleton wrote to the Governor of Curaçao to have him sent thither or punished for stealing 30 odd negroes from the English part of St. Christopher's which he did twice, and other felonious acts (1151).

Comments of Governors Atkins and Stapleton.

By an Order in Council of 18th May 1677, Colonel Philip Warner was put out of the government of Antigua, and "any other employment or trust in the King's service" (750 II.).

Colonel Warner dismissed the King's service.

Articles for the surrender of Surinam to the Dutch were

Surrender of Surinam to the Dutch.

agreed upon by Colonel William Byam and Commander Crynssens on 16th March 1667, and confirmed by the Treaty of Breda, wherein it was provided that if any of the inhabitants should at any time intend to depart they should have power to do so and sell their estates, but this not having been performed was, by the Treaty of Westminster of February 1673, agreed to be executed. It was not, however, until early in 1675 that the States General issued their orders to Captain Vorsterre, then Governor of Surinam, to conform to this resolution, and King Charles appointed Commissioners to effect the entire execution of the treaty, and to embark on His Majesty's ships the King's subjects and transport them with their slaves, goods, and estates to some of the English colonies (487). We have a complete account of the proceedings of the King's Commissioners in their correspondence, and more particularly in the "Narrative" presented by Edward Cranfield to the Lords Committee for Plantation on 18th May 1676 (683–4). From this it appears that they sailed from the Downs on 6th April 1675, and arrived at Surinam the beginning of the following June. The King's Commissioners then visited in person the several "divisions" to confer with His Majesty's subjects and encourage them to embark. But Governor Vorsterre demurred to allowing the Jews to go, who said his orders were only to let the English go, for he found more Jews would depart than he expected, and feared it might too much weaken the Colony. From a list taken it was found there were but 130 Dutch inhabitants besides the garrison, who, with the merchants in the town, made up about 140 more. Having prepared a list of the passengers and proportioned them to the ships it was found absolutely necessary to employ all (three) ships. The Commissioners took leave of the Governor on 12th August 1675, and all His Majesty's

English inhabitants transported to Jamaica.

subjects petitioned to be transported to Jamaica without touching elsewhere, no person wishing to go for England or Virginia. After a tedious passage they arrived at Jamaica on 8th September, and His Majesty's letters were delivered to the Governor, who afforded them all the accommodations His Majesty directed (932). A list of the names of the King's subjects and slaves transported in His Majesty's "Hercules," "America," and "Henry and Sarah," from Surinam to Jamaica, show the total to have been 1,231 persons (675 VII.). The list of those of the Hebrew nation willing to go, but hindered by the Dutch Governor of Surinam, comprise 10 persons with 322 slaves (675 v.). The Lords of Trade and Plantations reported to the King on 30th May 1676 that they found, by a particular narrative of Cranfield's proceedings, that he had conveyed from Surinam to Jamaica 250 of His Majesty's subjects, all whites, and 981 slaves; that he had adjusted all differences in accounts, and brought them off as much savers as could be expected, leaving very few or none, unless Jews whose coming away the Governor obstructed; and that this number has been of considerable advantage to Jamaica, so their Lordships "presume to "signify that he has in all points discharged himself with "fidelity and success, and to recommend him to His "Majesty's favour" (684, 932); the King approved of this report by an Order in Council of 31st January 1677.

Royal African Company.

A list of ships "entertained" by the Royal African Company, and the number of "negroes delivered," and the "negroes ordered" from Christmas 1674 to Christmas 1675 for Barbadoes, Nevis, Jamaica, and Virginia shows a total of 7,025 negroes (512). An account of negroes laden aboard five ships by the agents of the Royal African Company, and sold at Barbadoes between March and June 1676, gives the total number shipped 1,588, and sold 1,372,

Negroes shipped and sold:

besides 224 (*sic*) which could not be sold there, and were sent to Nevis, and 200 for Jamaica (1102 l.). In reply to a complaint that they very scantily supplied Barbadoes with negro servants, the Company said (July 1676) that they had been settled little above four years, and in the first two, navigation was obstructed by the Dutch war. The third year the Company most vigorously prosecuted their trade and sent out 15 ships to the coast of Africa, and ordered six of them to Barbadoes with about 2,000 negroes. Last year (1675) they sent 20 ships to Africa, and appointed eight of them with about 3,000 negroes to that island. It was alleged the Company sold their price. negroes at 20*l.* and 22*l.* per head, but their books show the price to have been 15*l.* per head, and that there remained owing to them about 70,000*l.* This present year the Company have sent ships and intend more (911).

Rebellion of Negroes in Jamaica and Barbadoes. The rebellions of negroes in Barbadoes, and more particularly in Jamaica, were a frequent source of anxiety and of great danger to the inhabitants. "When "the negroes found any English straggling in the woods "they butchered them with lances," wrote Vice-Admiral Goodson from Jamaica in 1656; and another of Cromwell's officers reported they received opposition from the negroes, who slew about 40 of our soldiers a month since (251–7), so the English soldiers were obliged in self-defence, and for their own safety, to destroy the negro settlements in the Island (335). "The enemy in our bowels, to whom our "lives have been a prey, and many men subjected to "their mercy, the negroes I mean (wrote the Steward "General in Jamaica), are now become our bloodhounds, "and we are daily making depredations on them, and "they are in our behalf more violent and fierce against "their fellows than we possibly can be" (345).

In 1675, Governor Atkins reported from Barbadoes "a

damnable design" of the negroes to destroy them all. He found the rebellion far more dangerous than was at first thought, for it had spread over most of the plantations, especially amongst the Cormantin negroes, who are much the greater number, and a warlike and robust people. He had been forced to execute 35 of them, which he believed had set a period to that trouble (690). At a meeting of the Assembly of Barbadoes on 25th November 1675, it was ordered that the freeing of Fortuna, a negro woman belonging to Gyles Hall, "sent in recompense of her "eminent services in discovering the intended rebellion "of the negroes, be recommended to the succeeding "Assembly" (712). In Jamaica a proclamation was issued by the Governor and Council to put in execution all the clauses of an Act for the right ordering and government of the negroes, there having "lately been "several insurrections and rebellions of negroes to the "great disturbance and peace and planting of this island" (661–741). At a meeting of the Council early in 1676 Governor Lord Vaughan reported that the rebellious negroes were not yet reduced, and 20 good men were ordered to be kept in pay at least two months, or until said negroes be reduced, and rewards were promised for the taking and killing the ringleaders; for the negro called Peter 20*l.* sterling, for Scanderberg 15*l.*, for Doctor 10*l.*, and for all the rest of the rebellious party 5*l.* per head, according to the Act. Six Spanish negroes were to be sent over to assist with their lances (793). "Some Hunters," who had offered their services in pursuing and subduing the negroes, were encouraged and furnished with all things necessary at the public charge (820). Then the Governor wrote home that he had had some trouble with rebellious negroes, eight or nine have been taken and executed, and the rest not heard of for a

Rewards for taking and killing Negroes.

fortnight, "so I hope they are wholly reduced or dispersed" (822). The question of christening negroes and "what the French and other nations practise in this particular" was considered by the Lords of Trade and Plantations (783–4), while in Barbadoes the Assembly were debating whether the actings of the Quakers, which may be of dangerous consequence, were to be reformed by law, in relation to their admitting negroes to their meetings under pretence of converting them to the Christian religion (p. 364).

Christening of Negroes; their admission to Quakers Meetings.

In conclusion, I wish to say that every statement in this Preface is taken from the papers abstracted in the volume.

W. Noel Sainsbury.

151, Sutherland Avenue, W.,
5th December 1893.

LIST OF COLONIAL ENTRY BOOKS.

No.	Colony.	Date.
1	Africa - - -	1672 to 1686
2	Antigua - - Acts	1684 „ 1693
3	Providence Island -	1630 „ 1650
4	„ „ -	630 „ 1641
5	Barbadoes - - -	1627 „ 1674
6	„ - - -	1675 „ 1680
7	„ - - -	1680 „ 1688
8	„ - - -	1688 „ 1694
9	„ - Inclosures	1678 „ 1703
10	„ - „	1679 „ 1709
11	„ - Minutes of Council -	1660 „ 1686
12	„ - „	1687 „ 1695
13	„ - Minutes of Assembly	1670 „ 1683
14	„ - „	1684 „ 1694
15	„ - Printed Acts	1643 „ 1762
16	„ - „	1682 „ 1691
17	Bermudas - - -	1615 „ 1686
18	„ - - -	1686 „ 1691
19	„ - Inclosure	1688 July 24
20	Carolina - - -	1663 to 1683
21	„ - - -	1674 „ 1685
22	„ - - -	1682 „ 1698
23	„ Grants of Land	1674 „ 1765
24	„ - Charters	1663 „ 1665
	Acts	1682 „ 1688

No.	Colony.	Date.
25	Hudson's Bay - -	1687
26	Jamaica - - -	1658 Nov. 30
27	„ - - -	1661 to 1674
28	„ - - -	1667 „ 1677
29	„ - -	1674 „ 1681
30	„ - - -	1681 „ 1684
31	„ - - -	1684 „ 1687
32	„ - - -	1686 „ 1690
33	„ - Inclosures	1685 „ 1689
34	„ - Minutes of Council -	1661 „ 1672
35	„ - „	1672 „ 1678
36	„ - „	1682 „ 1690
37	„ - Minutes of Assembly	1661 „ 1679
38	„ - - Acts	1672
39	„ - - „	1674
40	„ - - „	1675
41	„ - - „	1677
42	„ - - „	1678
43	„ - - „	1681 „ 1683
44	„ - - „	1681 „ 1737
45	Leeward Isles - -	1670 „ 1671
46	„ - - -	1675 „ 1681
47	„ - - -	1681 „ 1689
48	„ - Minutes of Council -	1680 „ 1695
49	„ - - Acts	1668 „ 1672
50	„ - - „	1663 „ 1682
51	„ - - „	1680 „ 1692

List of Colonial Entry Books—*continued.*

No.	Colony.	Date.
52	Maryland - (also Patent)	1632 to 1687
53	„ - - Acts	1640 „ 1676
54	„ - Minutes of Council -	1686 „ 1689
55	Montserrat Printed Acts	1668 „ 1740
56	„ - Acts	1680 „ 1721
57	Nevis - - Acts	1664 „ 1669
58	„ - - „	1680 „ 1735
59	New England - -	1620 „ 1639
60	„ - - -	1661 „ 1679
61	„ - - -	1679 „ 1688
62	„ - - -	1688 „ 1693
63	„ - Naval Office Accounts -	1686 „ 1717
64	„ - Minutes of Council -	1686 „ 1695
65	Newfoundland - -	1623 „ 1671
66	„ - - -	1677
67	New Hampshire - -	1679 „ 1686
68	New York - -	1664 „ 1687
69	„ - - -	1687 „ 1692
70	„ - - -	1674 „ 1684
71	„ Grants of Land	1664 „ 1765
72	„ - - Acts	1667
73	„ - Patents	1686
74	New York - Commissions	1686
75	„ - Minutes of Council -	1687 to 1694
76	Pennsylvania - -	1681 „ 1694
77	Surinam - - -	1667 „ 1674
78	„ - - -	1668 „ 1677
79	Virginia - - -	1606 „ 1662
80	„ - - -	1675 „ 1681
81	„ - - -	1676 „ 1677
82	„ - - -	1681 „ 1685
83	„ - - -	1685 „ 1690
84	„ - Minutes of Council -	1680 „ 1695
85	„ - Minutes of Assembly	1683 „ 1695
86	„ - Acts and Journals	1661 „ 1682
87	„ - Abstracts of Acts -	1661 „ 1684
88	„ - - Acts	1661 „ 1702
89	„ - Printed Acts	1661 „ 1715
90	„ - - -	1661 „ 1732
91	„ - - -	1661 „ 1752
92	Plantations General -	1661 „ 1672
93	„ „ -	1663 „ 1684
94	„ „ -	1670 „ 1674
95	„ „ -	1674 „ 1679
96	„ „ -	1675 „ 1677
97	„ „ -	1675 „ 1687
98	„ „ -	1677 May

List of Colonial Entry Books—*continued.*

No.	Colony.	Date.
99	Plantations General -	1679 to 1684
100	„ „ -	1687 „ 1696
101	Lists of Acts -	1667 „ 1758
102	„ „ - -	1668 „ 1758
103	„ „ -	1687 „ 1758
104	Journals of the Board of Trade	1675 „ 1677
105	Journals of the Board of Trade	1677 to 1679
106	„ „ - -	1679 „ 1682
107	„ „ - -	1682 „ 1684
108	„ „ - -	1684 „ 1686
109	„ „ - -	1686 „ 1690
110	Plantations General -	1667 „ 1681

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COLONIAL PAPERS.

AMERICA AND WEST INDIES.

ADDENDA.

1574—1674.

1574.

March 22. **1.** Petition of divers gentlemen of the west parts of England to the Queen. To allow of an enterprise by them conceived, and with the help of God, under the protection of her Majesty's most princely name and goodness, at their charges and adventure to be performed for discovery of sundry rich and unknown lands, fatally, and it seemeth by God's providence, reserved for England and for the honor of her Majesty. Of which attempt petitioners have good and probable reasons to assure them easy and feasible means to attain it, and the commodities be large, without injury or just offence to any Prince of Christendom, as they will be ready to show where her Majesty shall command. And that her Majesty will give petitioners encouragement with her Royal Grant and Promise, that when their travels shall fall out to good and profitable effect, petitioners with their Company and Partners may have such assurance and privilege of her Majesty's most princely goodness, as it shall not be lawful for others to enjoy the fruit of their labours and adventures. "And we shall not only carry, together with the benefit of Christian faith, the most honorable renown, already largely known to the known world of your Majesty's most noble virtues and sovereignty into the farthest parts of the Earth, but also daily pray to God long to preserve your highness with all increase of honor and dominion." *Endorsed,* "Supplication of certain gentlemen in the west parts for a new navigation. Sir Humfrey Gilbert, Sir George Peckham, Mr. Carlile, and Sir Ri. Grenville and others, Voyages." [*Dom. Eliz., Vol. 95, No.* 63.]

March 22. **2.** Certain Gentlemen of the West Country to the Lord [Lincoln] High Admiral of England. They are desirous to adventure themselves and their goods in matter of service honorable and profitable to the Queen's Majesty and the Realm with like hope of benefit to arise to such as shall be adventurers therein; and having sundry ways good and probable causes to lead them both by their own understanding and the help of such whose skill and experience they have used, have conceived a means by discovery of certain new

1574.

trades of navigation and traffic to advance the honour of their Sovereign Lady and Country, with enlarging the bounds of Christian religion, the beneficial utterance of the Commodities of England, the increase and maintenance of seamen, the relief of the people at home and sundry other commodities such as his wisdom can easily see to ensue thereof. Beseech him to peruse the inclosed Articles and command them to attend his Lordship, that they may make more ample declaration of the probability thereof, the means they have to attain it, the commodities to grow by it, the easy resolving of such difficulties as may be objected to without injury to any Prince or country or any just offence of amity, and lastly how the whole shall be performed without her Majesty's charge or adventure, or any other trouble more than her gracious allowance of their good meaning and direction of their proceedings. Beseech him to take the same into his protection and commend the same to her Majesty. *Enclosed,*

2. 1. The articles referred to in the preceding letter from certain Gentlemen of the West Country, divided into the following heads, viz.:—The matter itself offered to be attempted. That it is feasible. What means we have commodiously to achieve it. The commodities to grow of it. An answer of such difficulties and matters as may be objected. That there is no injury offered to any Prince or Country, or any offence of amity. The offer for performance thereof without Her Majesty's charge or adventure. Matters thought upon to be prayed for Her Majesty's good allowance of the enterprise and direction of the proceedings, always both referring the peculiarities thereof to farther consideration, and to his Lordship's advice and judgment. *Together,* 6 *pp.* [*Dom. Eliz., Vol.* 95, *Nos.* 64, 64 *I.*]

1578.

June 11. **3.** Letters Patent to Sir Humphrey Gylberte, of Compton, co. Devon, and to his heirs and assigns. To discover remote heathen and barbarous lands not possessed by any Christian Prince or people and to hold and enjoy same with all commodities, jurisdictions, and royalties both by sea and land. Said Sir Humphrey and all who by license from us our heirs and successors shall travel thither, to inhabit there and build and fortify, at the discretion of said Sir Humphrey, the statute against fugitives or any other law to the contrary notwithstanding. With power to take to inhabit there so many of our subjects as shall willingly accompany him with shipping and furniture so that none be specially restrained by us our heirs and successors. To hold and enjoy the soil so to be discovered, and all cities, towns, castles, and villages with the royalties and jurisdictions and power to dispose of same according to the laws of England paying the fifth part of gold and silver, to be holden for ever by said Sir Humphrey his heirs and assigns of us our heirs and successors by homage. With power for defence to resist by sea and land all attempting to inhabit within said countries, or within 200 leagues thereof, without the special license

1578.

of said Sir Humphrey, where within six years next ensuing he or his associates shall make their dwellings, or that shall attempt unlawfully to annoy either by sea or land said Sir Humphrey and to seize their ships and goods, our subjects driven by tempest or shipwreck only excepted, and to detain as lawful prize. All such countries hereafter to be possessed and inhabited as aforesaid shall be of the allegiance of us our heirs and successors, and all whose names shall be entered in some of our Courts of Record with the assent of said Sir Humphrey his heirs and assigns, shall now in this journey for discovery, or in the second journey for conquest, hereafter travel to said countries, being born within our allegiance shall enjoy all the privileges of free denizens and persons native of England and within our allegiance, any law or custom to the contrary notwithstanding. With power to punish, pardon, and govern all who adventure in said voyages or inhabit said countries, or within 200 leagues of same, or shall inhabit within six years next ensuing according to laws established by said Sir Humphrey for the better government of said people as aforesaid so they be agreeable to the laws of England. With power to Sir Wm. Cecil Lord Burleigh, or to the Lord Treasurer for the time being, and any four of the Privy Council, to license said Sir Humphrey to transport the goods of his or their associates and other necessary commodities, any law to the contrary notwithstanding. Provided always that if said Sir Humphrey or any other by his license rob or spoil by sea or land the subjects of any King or Prince in amity with us and after proclamation shall not make restitution and satisfaction, said Sir Humphrey and all inhabitants of said countries so to be discovered be put out of our allegiance and protection, and it shall be free to all to pursue them with hostility as not being our subjects. "The 11th day of June the twenteth yere of our raigne," *i.e.*, 11 June 1578. [*Patent Roll*, 21 *Eliz.*, *part* 4, *m.* 8.] *This is the only patent on this roll which has the regnal year, and as will be remarked it is enrolled on the Patent Roll of* 21 *Eliz., which regnal year did not commence until* 17 *Nov.* 1578. *Printed Hakluyt III.*, 174–176, *but with the concluding words "Anno Domini* 1578," *which are not on the Patent Roll*

Sept. 23. Greenway.

4. Sir Humphrey Gylberte to Secretary Sir Francis Walsingham. Knowing him to be his principal patron as well as furthering and procuring him her Majesty's favour and license for performance of his sea voyage, as also many other ways having found him his good and honorable friend, thinks it his duty to signify that he left this port of Dartmouth on the 23rd instant, September, accompanied by 11 sail, well victualled for a year, and furnished with 500 choice soldiers and sailors. Their stay so long in these parts proceeded through his London shipping not coming down till 25th August. Trusts this will be no impeachment to their enterprise, the season of the year serving very fit for their travel. Is and will be ever ready to do him any service that shall lye in his power, praying a continuance of his favour and good speeches to Her Majesty for the better supportation of the writer's poor credit. 1 *p.* [*Dom. Eliz.*, *Vol.* 125, *No.* 70.]

1578.
Nov. 12. Plymouth.

5. Sir Humphrey Gylberte to Secretary Sir Francis Walsingham. Has ever found him his most honorable friend, so in his greatest extremities, he means such as by false suggestions may hazard his credit, he will never despair to find less favour. During the long contrary winds Mr. Knowles has forsaken Gylberte's company, and drawn as many as he could allure. Complains that he (Gylberte) never offered such cause as might either be a discredit to sustain, or any occasion to break off so honest an enterprise. Once before Knowles refused the journey, but was reconciled by Sir John Gilbert "and the breach by me omitted and forgotten." Knowles often and openly persuaded Gylberte's company and gentlemen to his disgrace, and has often and openly said he accounted himself equal in degree to the best Knight and better than the most in England (*sic*). Describes the intollerable disorders "committed by Knowles to my great disgrace; when I entreated him to my table, he answered me that he had money to pay for his dinner as well as I, and that he would leave my trencher for those beggars that were not able to pay for their meals, which seemed a bare thanks for my good will." He threatened to hang a Captain and Gentleman of Gylberte's company called Morgan [*Miles Morgan who was lost at sea soon after*] in living little or nothing inferior to Knowles; refused to deliver up two of his men for the murder of John Leonard in Plymouth; and let a notorious pirate go "which bred me great slander of suspicion of piracy." Told Knowles privately by way of counsel, as his friend without quarrel or words of offence, that he used him (Gylberte) somewhat too disdainfully, considering the good will he bare him and the place he held, and that if he used himself in this sort and upheld such as offended, by his countenance, it would not only kindle dislike between them, but also breed faction and sedition. Upon this only it pleased Knowles to take hold, saying that Gylberte called him proud and seditious and so heinously racked it, that Knowles left his company and consort. Knowles it seems has by some of his company been persuaded to run a shorter course, which Gylberte prays God may turn to Knowles' advancement and credit "for he hath store of notorious evil men about him, as Loveles (*sic*) and Callice with others." Assures Walsingham that he (Gylberte) is for strength, as well able to perform that which he undertook as he desired, having of his own ships seven sail well manned and victualled. "As you have been always the pillar unto whom I leant, so I hope you will always remain in my just occasions such a one as I in good will and service desire to deserve; if God of his mercy do but give me leave and happily to return, I then hope you shall find that I will at last perform somewhat of that which I in thought and good will have with myself long promised." 2 *pp.* [*Dom. Eliz., Vol.* 126, *No.* 44.]

Nov. 18. Plymouth.

6. Sir Humphrey Gylberte to Secretary Sir Francis Walsingham. Because he weighs in equal balance with life his Honor's good opinion of him, sends inclosed certificate under the hands of the Mayor of Plymouth and others present when Gylberte publicly desired Knowles to declare all the causes that moved him to mislike,

1578.

all of which are particularly set down in said Certificate. Truly can guess no other cause but that Knowles' pretence was to break off from the beginning and run this course, thereby to have colour to arm to sea, and there withal either to learn Gylberte's enterprise and so undertake the discovery of himself as one moved thereunto through ambition and disdain, or else to run some shorter course. Beseeches his Honor to impart this certificate to the Queen's Majesty, Lord Leicester and Mr. Vice-Chamberlain. His principal care is to satisfy Walsingham above all others, because his Honor was the only means of Gylberte's license, and therefore as his patron he studies principally next unto her Majesty, to maintain himself in his good opinion. Trusts God willing to bring all things to good pass, these crosses and thwarts notwithstanding. Moreover Gylberte's cousin Denys accompanies Knowles in this his breach and retires from their consort, because Gylberte blamed him for striking a sailor with his naked sword, who thereupon challenged Gylberte. "If I have informed your Honor otherwise than truth, then judge me a villian and a knave." *Encloses,*

6. I. Certificate of the causes of Mr. Knowles' forsaking the journey and consort of Sir Humfrey Gylberte, alleged before John Hele, Mayor of Plymouth, and divers other gentlemen, 5 Nov. 1578. That Gylberte said Knowles was factious, seditious, and proud, to which Gylberte replied, he never called Knowles factious or seditious, but said that if he gave countenance to men of evil and disordered behaviour then he should nourish faction and sedition, which words were spoken privately; but Knowles would not be satisfied with Gylberte's public denial, except he would openly swear upon a book, which Gylberte refused, saying oaths ought to be reserved for Judges. Gylberte denied not, accusing Knowles of pride, for he spoke words to Gylberte's disgrace and disdain, as despising his knighthood, saying he took himself to be a better man than 20 knights; that he had submitted and embased himself to serve under Sir Humfrey; and that when the latter had Knowles to dinner, he answered he had money to pay for his dinner as well as Gylberte, and would leave his trencher for those not able to pay for their meals. "And yet notwithstanding Sir Humphrey Gylberte took not it as any quarrell but seemed loth to leave his company, but no courtesy or patience of his part could persuade or content him." Signed by Wm. Hawkins, W. Rauley, Myles Morgan, John Robartes, Edmond Eltofte, and Henrie Noell. *Together*, 4 *pp.* [*Dom. Eliz., Vol.* 126, *Nos.* 46, 46 *I.*]

Nov. 18. **7.** Names of the ships, officers, and gentlemen which accompanied Henry Knollis in his voyage begun 18 Nov. 1578. The Elephant, Admiral, 150 tons, Henry Knollis, Captain, his brother, Francis Knollis, Lieut., Old Morse, Master, number of gentlemen, soldiers, and mariners, 100, well victualled for a whole year. The

1578.

bark Denye, Vice-Admiral, called the Fame, a frigate of 72 ft. long, Edward Denye, Captain, number of gentlemen, soldiers, and mariners, 30. The French bark the Francis, of 70 tons, Gregory Fenton, Captain, whole number 30. Total 160. Capt. Sharpam and Mr. Foscue (*sic*) are also near in a readiness with five ships victualled for a year for 200 persons, bound in a like voyage. 1 *p.* [*Dom. Eliz., Vol.* 126, *No.* 49.]

Nov. 19. **8.** "The names of all the ships, officers, and gentlemen, with the pieces of ordnance in them, and the number of all the soldiers and mariners gone in the voyage with Sir Humphrey Gylberte, Knight, General in the same, for a discovery to be made by him who took the seas from Plymouth with seven sails, the 19th day of Nov. 1578." Ann Ager, Admiral, 250 tons, Sir Hump. Gylberte, General, Henry Pedly, Master, number of gentlemen, soldiers, and mariners, 126. The Hope of Greneway, Vice-Admiral, 160 tons, Carye Rawlye, brother to Sir H. Gylberte, Captain, number of gentlemen, soldiers, and mariners, 80. The Falcon, Her Majesty's ship of 100 tons, Capt. Walter Rawlye, brother to Sir H. Gylberte, Ferdinando the Portugal, Master, number of gentlemen, soldiers, and mariners, 70. The Red Lyon, 110 tons, Myles Morgan, Captain, number of gentlemen, soldiers, and mariners, 53. The Gallion, 40 tons, Richard Veall, Captain, number of gentlemen, soldiers, and mariners, 28. The Swallow, 40 tons, John Vernye, Captain, number of soldiers and mariners, 24. The Little Frigate or Squirrel of 8 tons, with 8 soldiers and mariners. The whole number of gentlemen, soldiers, and mariners in this fleet, 365 (*sic should be 389.*) Well victualled with beef for 3 months, fish and biscuits for a year at 3 biscuits a day for each man, with peas and bones for a year, besides particular provisions. 2 *pp.* [*Dom. Eliz., Vol.* 126, *No.* 49.]

Nov. 21. Greneway. **9.** Sir John Gilberte to Sec. Sir Francis Walsingham. Presents himself as one altogether ready to serve him with his poor ability, for Walsingham's great and favorable courtesies to Gilberte's poor brother Sir Humphrey divers and sundry times showed. Beseeches that he may be accepted into his Honor's favor as one of that house that is dedicated to his service, as he knows his good uncle Sir Arthur Champernoune with his brother and others had great courtesies from his Honor. His brother has emboldened him to write, and has assured him of Walsingham's favour, to whom he has made Sir John known by speeches, although not by person. 1 *p.* [*Dom. Eliz., Vol.* 126, *No.* 50.]

Dec. 20. **10.** Sir John Gilberte to Sec. Sir Francis Walsingham. It is reported in Court that his brother was not victualled to much effectual purpose for such a voyage, and so scant furnished in every way as not in ease to perform the same. Whereunto he will answer that he himself made his brother's proportion, and was acquainted with the bestowing of the same in every ship. Protests and avows upon his honesty and credit that his brother's ships were victualled with bread, beef, fish, beans and peas, meal, and

1578.

such other as was requisite for a long voyage, for one whole year, by the judgment of the most best advised honors and masters in all this county. Hopes his Honor will give credit herein, for he has the books of every particular to show and signify the same to such of the Lords of the Council as doubteth hereof. Doubts not yet (if God will) his brother shall perform his voyage; he hath all his own ships yet with him, saving one only, wherein Mr. Noell and a brother of Gylberte's were, which had so dangerous a leak as by no means able to perform the voyage. Prays he will not conceive that Gylberte would for affection to his brother abuse his Honor with untruths. 1 *p.* [*Dom. Eliz., Vol.* 127, *No.* 44.]

1581.

Feb. 25. Cork. **11.** Walter Rawley to Secretary Sir Francis Walsingham. "Would God the service of Sir Humphrey Gylberte might be rightly looked into, who, with the third part of the garrison now in Ireland, ended a rebellion not much inferior to this, in two months; or would God his own behaviour were such in peace, as it did not make his good service forgotten, and hold him from the perferment he is worthy of. I take God to witness, I speak it not for affection but to discharge my duty to Her Majesty, for I never heard nor read of any man more feared than he is amongst the Irish nation; and I do assuredly know, that the best about the Earl of Desmond, yea, and all the unbridled traitors of these parts, would come in to him and yield themselves to the Queen's mercy, were it but known that he were come amongst them. The end shall prove this to be true." [*Extract, Correspondence, Ireland, Vol.* 80, *No.* 82.]

There is a letter from Sir Hump. Gylberte to Sec. Walsingham, dated 25 *Oct.* 1581, *in answer to the Secretary's objections to the entertainment of Gylberte's ships in Ireland (the Ann Ager is one), which were employed there by the Governor's arrests and commands, and not by any desire of his own. He prays for what is due to him for those services, or he shall be utterly undone, and not able to show his head for debt.* [*Ireland Corresp., Vol.* 86, *No.* 40.]

July 11. Minster Sheppey. **12.** Sir Humphrey Gylberte to Sec. Sir Francis Walsingham. Great extremity forces him earnestly to crave his Honor's speedy furtherance of the small sum of money, remaining due to him for her Majesty's service with three ships of his in Ireland stayed and employed there by the Lords Justices arrests and not by his own suit. He lost by that means above 2,000*l.*, as he was stayed here and could not be permitted to return to Ireland to save his ships and goods which were stolen and carried away. His reckoning is set down and allowed by the auditors of Ireland, and the Lord Deputy wrote letters to the Privy Council for payment, but as yet he can get nothing. "A miserable thing it is, that I, poor man, having served her Majesty in wars and peace above seven and twenty years, should be now subject to daily arrests, executions, and outlawries, yea, and forced to gage and sell my wife's clothes from her back, who brought me so good a living. The Queen's Majesty hath always said that her Highness would relieve me, and shall I now starve (without her Highness' privity) for want of

1581.

my own. Her Majesty did never yet deny me anything that I ever asked, although I never enjoyed anything to profit that ever Her Majesty gave me." Begs his Honor to present this his pitiful petition without delay to her Majesty's own consideration, who, Gylberte is sure, will never detain his own from him, nor yet deny him any reasonable suit for his relief. [*Dom. Eliz., Vol.* 149, *No.* 66.]

12. I. Note out of the auditors' last book, of Sir Humphrey Gylberte's reckonings for his ships, the "Anne Auchier," Relief, and Squirrel, employed in the Irish Service from 21st July to 16th October, 1579. [*Correspondence, Ireland, Vol.* 69, *No.* 67.]

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April 19. **13.** "Secret advertisements "from P. H. to Sir Fras. Walsingham. There is a muttering among the Papists that Sir Humphrey Gylberte goeth to seek "a newe founde lande," Sir George Peckham and Sir Thos. Gerrard go with him. Has heard it said among the Papists that they hope it will prove the best journey for England that was made these 40 years. *Extract.* [*Dom. Eliz., Vol.* 153, *No.* 14.]

June 6. **14.** Articles of Agreement between Sir Humphrey Gylberte of Compton, co. Devon, and Sir Thos. Gerrard of Bynne, co. Lancaster, and Sir George Peckham of Denham, co. Bucks. Recites Gylberte's patent of 11 June, 20 Eliz. [*see ante No.* 3]. Now said Sir Humphrey, for better encouragement of said Sir Thomas and Sir George and their associates, and in consideration that they have adventured divers sums of money as principal adventurers with said Sir Humphrey towards his now intended voyage for discovery and inhabiting of certain parts of America so meant by him or his assigns to be discovered as also for divers other good considerations, said Sir Humphrey, doth covenant with said Sir Thos. Gerrard and Sir Geo. Peckham, their heirs and assigns that they shall at all times hereafter enjoy full power by virtue of said patent to discover all lands and isles upon that part of America between the Cape of Florida and Cape Bryton (? Breton) and the seas adjoining, and to occupy and enjoy the same to their own use for ever, two islands of any four by them taken or named being no part of the now supposed continent at their choice out of the lands and seas so discovered within three months after their arrival or that of their assigns or at any time as said Sir Humphrey or assigns shall make his or their choice of two of said four islands. And also such quantity of said land within the supposed continent lying as near unto said two islands as conveniently may be as shall amount to fifteen hundred thousand acres with power to people and manure the same, together with all privileges, commodities, and emoluments whatsoever, holding same of said Sir Humphrey, his heirs and assigns, by fealty in free soccage, yielding and paying to said Sir Humphrey ten pounds sterling, and two-fifth parts of gold, silver, pearls, and precious stones, out of which the Queen's part reserved by said patent is to be answered for all duties, service, and demands whatsoever; also paying for every thousand acres after the first seven

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years fifteen pence and two-fifth parts of gold, silver, pearl, and precious stones there found, the Queen's part included. With free liberty of trade to said Sir Thomas and Sir George and execution of all laws, both marine and otherwise. And said Sir Humphrey covenants by these presents to do his best endeavour to procure her Majesty's leave that all who shall adventure with said Sir Thos. and Sir George to be entered in a register book kept for that purpose, may freely pass into those countries to remain or return at their pleasure, and likewise said Sir Humphrey shall make such further assurance within three months after the first return of said Sir Humphrey or his associates from his said voyage of discovery in such sort as by the said Sir Thos. and Sir George, or their learned counsel shall be reasonably and lawfully required. [*Close Roll*, 24 *Eliz.*, *Part* 6.]

June 6. **15.** Articles of Agreement between Sir Humphrey Gylberte of Compton, co. Devon, and Sir George Peckham of Denham, co. Bucks. Whereas her Majesty, by Letters Patents bearing date 11 June 1578, hath granted to Sir Humphrey, his heirs and assigns, for ever, free liberty to discover lands not possessed by any Christian Prince or People, and to occupy and enjoy the same with all commodities, jurisdictions, &c. Said Sir Humphrey for the more speedy executing of her Majesty's said grant, the enlargement of her Dominions, and the better encouragement of said Sir George and his associates, and in consideration that said Sir George hath disbursed divers sums of money and adventured the same as principal adventurer with said Sir Humphrey towards his now intended voyage for discovery and inhabiting of certain parts of America so meant by him or his assigns to be discovered, as also for other considerations, doth covenant, with said Sir George, his heirs and assigns, that the same Sir George, his heirs, assigns, associates, adventurers, and people shall at all times hereafter, enjoy free liberty to discover and also to enjoy such lands at their choice adjoining so near as conveniently may be to the islands and lands mentioned to be conveyed by said Sir Humphrey unto said Sir George, and to Sir Thomas Gerrard, by Articles of Agreement of the date of these presents, as shall amount to five hundred thousand acres, with power to inhabit, manure, and people the same, together with all jurisdictions, privileges, &c., for the governing, inhabiting, &c., of same, paying to said Sir Humphrey, his heirs and assigns, yearly for every 1,000 acres, after the first seven years, which the same shall be actually possessed, fifteen pence and two-fifths of gold, silver, and precious stones, said Sir George to have free trade in said lands, isles, and countries, and the execution of all laws, said Sir Humphrey to use his best endeavour to obtain Her Majesty's leave to all adventurers, whose names shall be entered in a register book, to travel or remain in said countries; and to discharge and save harmless said Sir George, his heirs, &c., from the payment of the ore and other duties, services, and demands to Her Majesty, Her Heirs, &c., by said Letters Patents payable; and to make further assurances of the premises, within three months next after the next return of said Sir Humphrey, or his assigns, consorts, adventurers,

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or associates from said voyage of discovery. [*Close Roll*, 24 *Elizabeth, Part* 6, *No.* 1126.]

July 8. **16.** A "Writing indented" by which Sir Humphrey Gylberte, "calling to mind the mortality of mankind, and the uncertain event of long voyages in marine and martial affairs, and carefully foreseeing least thro' his death, captivity, or other mishap this intended enterprise might 'quaell' thro' the misfortunes aforesaid, and the minority of his next heir, for the avoiding of such inconveniences as might thereby ensue to the hindrance of so godly and honorable an enterprise," assigns and appoints to his brother Sir John Gilbert, of Greneway, co. Devon, Sir George Peckham of Denham, co. Bucks, and William Aucher of Borne, co. Kent, all his estate, right, and authority granted by her Majesty's Letters Patent herein recited, bearing date at Westminster, 11 July (? June) 1578, to the uses set down in a schedule annexed. The authority to be to them jointly or any two of them after said Sir Humphrey's death, or other impediments in his lifetime, whereby he shall not be able to confirm all the grants for land to his adventurers as he has covenanted. Also power to dispose of all offices during life, countries, lands, &c., within said countries now to be discovered, to govern the same, and dispose of the revenues thereof to the best behoof of his wife and children, as hereafter is specified, reserving all customs, chief rents, royalties, jurisdictions, and services to his heirs male, and to Dame Anne his wife, during minority of his eldest son, or heir, the third part of the whole revenues before specified, and after his full age the fifth part thereof during life, and also one entire seignory or lordship, fifty English miles square, at her choice, which parcel to be for ever the jointure of the wife of the Chief Lord and Governor of those countries under the Crown of England, with authority to appoint two such other seignories to the behoof of such other wives of the said Governors living together as may happen to survive their husbands. And to every one of his sons the like seignories at the least, and to every of his daughters twenty square miles in like manner in fee simple, and his wife and every of his children to have execution of justice within every of their seigniories, paying unto the Chief Lord of those countries under the Crown of England, yearly after the first seven years that they shall manure any part thereof, for every thousand acres fourpence with one-fifth of the gold, silver, pearl, and precious stones, in free soccage, only serving him in his wars forty days in the year, at their own charge, with one soldier sufficiently furnished for every five thousand acres inhabited, whereof as many to be horsed as may conveniently. And to dispose of all the soil in fee farm reserving the best places for the building of towns and forts, with sufficient for their commons of pasture, and for the provision of the captains or governors, to be annexed rent free for ever to every such charge; and also for some small portion, not exceeding ten acres, to be allowed for every house built for the better maintenance of the poor inhabitants, reserving some small rents for the same. Also every one that shall be sent over by the general charge of the realm with such provisions

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as is hereafter mentioned, shall have in lease for three lives, sixty acres of land, besides common for so much cattle in summer as they can keep in winter, with allowance for housebote, hedgebote, and ploughbote as the country may serve, and shall pay for the same per annum being manured, after the first three years, two shillings, with two-fifths of gold, &c., and the tenth of all metals and sub-minerals by the name of a toll, and after every death or alienation a best beast for a Herriott, and one year's rent for a relief. The provision that every of the poor must bring as aforesaid: a quarter of wheat, 20*s.*; four bushels of barley, 6*s.* 8*d.*; four bushels of oats, 3*s.* 4*d.*; two bushels of beans, 5*s.*; two bushels of peas, 4*s.*; one hatchet, 12*d.*; one pickaxe, 12*d.*; one hand-saw, 12*d.*; one spade, 12*d.*; total, 43*s.*; besides allowance for transportation and apparel, to be received on their arrival by an officer appointed for the purpose, and re-delivered when they shall be appointed their dwellings, within forty days after their arrival for boys and wenches sent over, their portions to be appointed at the discretion of said officers and re-delivered with their lands and dwelling places, when married or become able to take charge of household. Provided always that the realm of England be repaid said charge for these poor, every third year the whole country standing charged for the same, which can be no loss to England. And all that come furnished at their own charge, with a sword, dagger, and "hargabusse of encrease," shall have on the like terms six score acres. All that shall come over upon the general provision of the realm of England or not at the charge of other adventurers to be tenants to Sir Humphrey, his heirs, &c. Those coming over at their own charge or at the charge of any adventurer who before their arrival enrol themselves in the Master's or Purser's books of the ship upon which they embarked, that they mind to be adventurers, tenants, or servants to any one man by them to be named, to have free liberty to do so, for which neither Sir Humphrey, his heirs nor successors, shall be charged to give any land. Every gentleman "or such person as shall be so there allowed," that shall bring five men at his own charge, and furnished as aforesaid, to have in fee simple, two thousand acres of land, and he that shall send the like number in like sort, one thousand acres, each man so brought to have six score acres in fee simple, paying for a fine ten shillings for every hundred acres so allotted, and yearly after the first three years, twenty shillings rent for every thousand acres. No man to be capable of those benefits unless an adventurer in the two next voyages, without special allowance of Sir Humphrey or his assigns; every one of their men to have allowed in fee simple six score acres, paying for a fine twenty shillings, and yearly after the first three years two shillings and sixpence, together with two-fifths of gold, &c., and the tenth of metals and sub-minerals, and after every death of the chief lord of that soil or alienation of the land, a best beast and one year's rent. Similar proviso for every man that shall bring thither ten men, the proportions of land being doubled, "and so more or less according to the number that he shall then bring." And every wife that brings five men or upwards in the next two voyages, to

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be allowed also during their lives a third part, and every one of their children a fourth part, of as much as their husbands and fathers had heretofore set down, paying rateably as their husbands and fathers should have done. Every tenant to sixty acres of land to maintain a longbow and a sheaf of arrows together with a sword, dagger, and a wooden target. Every man of six score acres to do the like, with increase of a caliver furnished; and of 240 acres, to keep in his house an able man besides himself, furnished for a "hargabyzier," to serve in the wars. Every gentleman maintaining five men, and having 2,000 acres, to keep a light horse furnished for the wars "after such time as God shall send sufficient horses in those parts, and in the meantime to keep two men for shot, in lieu of every such horse." Every man allowed 4,000 acres to keep according to the like rates, and to build a house for himself in the chief city of the Province, in such place agreed upon by Sir Humphrey's assigns, payable for the same seat per annum, fourpence. One half-penny sterling to be levied yearly on every acre of land and wood after the first ten years that any of the same shall be manured, which money shall be only employed towards the maintenance of a navy and soldiers for the general defence of those countries, and employed with the consent of the Chief Governor, and the more part of thirteen Councillors to be chosen by the people. Every minister to give yearly the twentieth part of their whole livings; and every landlord being a temporal man, the fortieth part of his land towards the maintenance of maimed soldiers, and of learning, lectures, schools, and other good and godly uses, in such sort as is thought most meet by the chief magistrates and law makers. Every country parish to contain just three English miles square, and the church to be in the midst thereof; every minister to have besides his tythes, three hundred acres of good land, as near to the church as conveniently may be, with allowance of common of pasture in the waste, and other privileges. No minister to have at one time above one benefice, nor any at all except he be resident thereon at least six months in the year. Every bishop to have ten thousand acres in one seigniory, two thousand of which to be tythe free. Every archbishop twenty thousand acres in two seigniories. Said assigns of Sir Humphrey not to dispose of any of the premises, any longer than during the minority of his heirs. *Four membranes or skins.* [*Close Roll*, 24 *Eliz., Part* 7, *m.* 8.)

Aug.? **17.** Articles of petition by Sir Thomas Gerrarde and Sir George Peckham to Secretary Sir Francis Walsingham. That whereas Sir Humphrey Gylberte hath granted and assigned his Patent to discover and possess, &c., certain heathen lands, &c., to petitioners. They pray that all persons whose names shall be set down in a book may have license to travel into those countries at the next voyage for conquest, there to remain or return back to England at their will. That recusants of ability may have liberty to travel there, upon discharge of the penalties due to her Majesty; also those not able to discharge the same, provided they pay when able to do so. That none under colour of this license go to any other

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foreign Christian realm, or do anything tending to the breach of any league between the Queen and any other Prince. That the tenth person which petitioners shall carry with them, shall not have any certainty whereupon to live or maintain themselves in England. 1 *p.* [*Dom. Eliz., Vol.* 146, *No.* 40.]

Nov. 2. **18.** Articles bipartite indented, between Sir Humphrey Gylberte and the Merchant Adventurers with him. Said Adventurers and their posterity, and their apprentices serving seven years, to be wholly free of all manner of trade, in all countries to be discovered by Sir Humphrey by virtue of her Majesty's Letters Patents to him granted of 11 June 1578, and to sue and be sued by the name of the Merchant Adventurers with Sir Humphrey Gylberte, until they shall be incorporated by some other name, upon payment to Sir Humphrey, his heirs and assigns, of half customs by said Merchant Adventurers, and of the whole customs by said apprentices. A perpetual staple, receipt, and repository for all manner of merchandizes in said territories laden, to be kept only in the town of Southampton; and nowhere else shall said merchandizes be discharged or landed, without special license of the Governor and Society aforesaid. Sir Humphrey, before his present departure out of England, to nominate and appoint a Governor, Treasurer, Agent, and Secretary and their successors; but if Sir Humphrey be absent, then Sir Francis Walsingham to prick a successor out of three persons to be nominated by said Society, within twenty days of said nomination. Eight assistants to be appointed upon first day of August next ensuing, by and out of said society, to establish convenient orders and statutes. General Courts to be held on the first two days of August and March in every year for ever, with power to assemble themselves together as often as they shall think meet for the direction of newly emergent causes. Power to admit new Adventurers upon certain fines, with reservation of part of said fines to Sir Humphrey, his heirs and assigns. Every Adventurer of five pounds, whose name shall be set down in a Schedule of Adventurers, to have one thousand acres of ground, over and above the return of his adventure. Every Adventurer in person, and not in goods, in this first voyage, to be free of all trade in said territories, paying to Sir Humphrey, his heirs and assigns, half customs for their goods; and every officer and gentleman, in respect of the adventure of his person, to be admitted an Adventurer of a double adventure, and every private person of a single adventure. Every person that shall in this first voyage adventure in stock and in person, to have a double proportion of land in said territories. Every gentleman may have four adventures, and every private man two adventures. Further privileges to those who will tarry with Sir Humphrey, in this first voyage, in said territories eight months after his first arrival there; paying to Sir Humphrey, his heirs and assigns, after the first seven years, as quit-rent, ten shillings for every thousand acres yearly for ever. All Adventurers in this first voyage with Sir Humphrey, their heirs and successors for ever, to be free, in person and goods, of all tortures, martial laws, arrests, and attachments whatsoever. Sir Humphrey, his wife, and all their

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kindred in blood, to be for ever free in said territories, and to enjoy all privileges, without any fines whatsoever, in as large manner as any of said Society. Provided always that none of the now Merchants of the Muscovy Company, or of the now inhabitants of Southampton, or the children or issue of either of them, who neither adventured with Sir Humphrey in his first pretence of discovery, or now in this last voyage, shall hereafter be capable of the freedom or privileges aforesaid by any means whatsoever. In consideration whereof Sir Humphrey, his heirs and assigns, covenants with said Society to confiscate and seize all goods, &c., found in said territories belonging to any person not free of said Society, to be divided in equal proportions between Sir Humphrey and said Society. All those certified by Sir Humphrey to have been Adventurers in the last pretence of discovery with him, and also all those which continued with him in the voyage until the breaking up thereof at Kinsale in Ireland, to be as free to all intents and purposes as the now Adventurers. Sir Humphrey, towards the comfort and relief of the poor travellers and decayed persons of said Society, and other good uses, to be bestowed and employed in said town of Southampton, gives and grants to said Society ten thousand acres of land for ever in said territories in soccage tenure, also one pound of every his hundred pounds out of his fifth part of fines aforesaid during fifty years, which said Society will also give to said uses in money out of every hundred pounds to be hereafter gotten out of the yearly profits of the whole Company for ever. Sir Humphrey to ratify, as soon after his first arrival in said countries as may be, to said Adventurers, their heirs and posterity, all lands, freedoms, &c., requisite and incident thereunto. Any difference arising between Sir Humphrey, his heirs and assigns, and said Society, about any ambiguous construction of any articles in these presents to be finally determined by the Lord Chancellor of England. 16 *pp.* [*Dom. Eliz., Vol.* 155, *No.* 86.]

Dec. 12. ? **19.** Additions to the preceding Articles between Sir Humphrey Gylberte and the Merchant Adventurers [of Southampton]. Every person intending to go into the remote countries aforesaid shall first enter into bond of said Society, to go such course as near as may be, as shall be set down by said Society, and not to attempt anything contrary to the true meaning of her Majesty's Commission granted to Sir Humphrey; and, upon arrival in those countries, to do everything to the use of said Sir Humphrey, his heirs and successors, in such manner as the now Adventurers with Sir Humphrey, do or ought to do according to said Articles. Power to said Society to admit to this action for discovery any persons, upon the conditions aforesaid, or such conditions as by said Society, with the consent of Sir Francis Walsingham, shall be thought meet, so that they depart from England before the end of April next, and their names be enrolled in the records of Southampton, to enjoy the like privileges as the now Adventurers in person with Sir Humphrey; but if said persons do anything tending to the destruction of Sir Humphrey, or commit piracy or hostility, whereby said Letters Patents may be made void, these present additions in

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such case to become void. Power to said Society to arm and set out ships to discover remote, heathen, miscreant and barbarous lands not possessed by any Christian Prince, and to people same under the authority of her Majesty. Grant to Sir Humphrey such lands to be occupied and governed under Sir Humphrey, according to the Articles aforementioned, and with the privileges therein set forth.

The high and honourable personages here underwritten, and their heirs for ever, by the free gift and full consent of Sir Humphrey Gylberte and the Society aforesaid, after their several adventures herein entered, rateably as in these Articles expressed, shall have free trade in the countries within written, now intended to be discovered, in as ample manner as the said now Merchant Adventurers :—

Sir Thos. Bromley, Lord Chancellor of England; Wm. Lord Burghley, High Treasurer of England; Earl of Sussex, High Chamberlain of England; Earl of Warwick, Robert Earl of Leicester; Sir Christr. Hatton, Vice-Chamberlain to her Majesty; Sir Francis Knowles, Sir James Acroft, Sir Walter Mildmay, Sir Henry Sydney, and also divers others, Knights, Esquires, and Gentlemen, viz. :— Philip Sydney, Sir George Peake, Sir Henry Knevett, Thomas Knevett, Wm. Archer and his son Wm. Archer, John Dee, Anthony Packhurst, James Parkinson, Richard Bingham, John Mawle, Andrew Mallery, Laurence Thompson, Edward Cordell, William Parry.

The Names and Surnames of such persons with their several sums of money and commodities, adventured with the said Sir Humphrey Gylberte in this present voyage of discovery, here ensueth, viz. :—

	£
Sir Francis Walsingham - - -	50
Wm. Barwick, Mayor of Southampton - -	10
Edward Cotton, of Southampton - -	50
Nicholas Caplin, Merchant of do. - -	20
Robert Knaplock, of the Town of Hampton -	20
Wm. Knaplock, of Clement's Inn, gent. - -	30
Rich. Goddard, of Southampton, Merchant -	40
John Knight, of do., Ironmonger - -	10
Robt. Moore, of do., Merchant - -	20
John Errington, of do., do. - - -	10
John Smith, of the Town of Hampton, gent. -	20
Thomas Holmes, of Southampton - -	50
Francis Mills, of do., gent. - - -	10
Edward Stafford, of do., do. - - -	10
John Eyles, of do., Mercer - - -	5
Barnard Courtnill, of do., Merchant - -	10
John Hopton, of do., Draper - - -	5
Andrew Studley, of do., Mercer - - -	15
Rich. Waterton, of do., gent. - - -	10
Edmund Capelin, of do., Merchant - -	5
Thomas Demaresk, of do., do. - - -	5
Robert Russell, of do., Beerbrewer - -	5

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	£
Henry Moore, of the Town of Hampton, gent. -	5
Wm. Grove, of Southampton, Mercer - -	5
Thos. Courtnill, of do., Baker - -	5
Thos. Haward, of do., Draper - - -	5
John Sedgwick, of do., Merchant - -	20
Paul Elliott, of do., Mercer - - -	5
Lawrence Grosse, of do., Mercer - -	5
Thos. Griston, of do., Shipmaster - -	5
John Grein, of do., Yeoman - -	5
Hugh Dervall, junr., of do., Mercer - -	5
Christopher Kenn, Esqr. - - -	10
Wm. Eling, of Southampton - - -	5
Sampson, Thomas, of do., Beerbrewer - -	5
Sir William Winter [*blank in original*].	
William Winter, gent. [*blank in original*].	
Helen Edmondes, of Southampton, Widow -	5
Harry Edmondes, of do., Yeoman - -	5
Thomas Clark, senr., of Burton, co. Dorset -	5
Nicholas Roche, of Southampton, Merchant -	5
Roberte Mawle, of Chalock in Kent - -	20
John Elsey, of Southampton, Merchant - -	5
John Deslile, of do., do. - - -	5
John Smith, of do., Tailor - - -	5
Robt. Studley, of do., Baker - - -	5

These hereunder written are free also of said trade by gift aforesaid, according to proportion of a single adventure, but not to enjoy the division of any gains until they put in their stocks :—

Henry Hopkins, of Southampton, Clerk.
John Calvert, of do., do.
Emery Lakes, of do., Merchant.
Thomas Dickenson, of do., Yeoman.
John Riges, of do., do.
Robt. Kenninges, of do., do.
Rich. Jackson, of do., do.
Rich. Mudford, of do., do.
George Dalton, of do., do.
Augustin Reynolds, of do.
John Favor, of do., Clerk, Merchant.
Dionis Brett, of Sale, co. Norfolk.

These also whose names are here written, which adventured with Sir Humphrey Gylberte in his first voyage, in money or commodities, not inhabiting within the Town of Southampton, shall in like sort be free of trade :—

Lord North, Mr. Edmondes of the Privy Chamber, Sir Mathew Arrundell, Sir Edward Horsey, Sir William Morgan, Sir John Gilbert, Sir George Peckham, Chas. Arrundell, Mr. Mackwilliam, Walter Rawley, Carew Rawley, Mr. Cotton, Mr. Edward, Henry Nowell, Mr. Wigmore, John Dudley, Thos. Dudley, Will. Moham, Edward Bartley, Thos. Smith Customer of London, Edmund Eltoft, George Carrowe of Okington, Mr. Rudgwaye, Lawrence

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Radford, Adrian Gilbert, George Carrowe, Charles Champernowne, Robert Wraye, Thos. Hamond, Mr. Whelst, Edward Snelling, Mr. Haies, gent. of Leerpole [? Liverpool], John Upton, William Hawkins, James Hilston, Barnard Smith, John Periam, William Weymouth, William Martin, Lawrence Barckham, John Radford, Simon Bowiar, George Mayer, John Amerrideth, John Robertes, Mr. Warckhope.

Also those persons hereunder written, who adventured with Sir Humphrey in his first voyage, and continued with him until the breaking up thereof at Kinsale in Ireland. [*There are not any names underwritten.*]

Also all other Adventurers with Sir Humphrey, of Totness and Dartmouth, and all others adventuring with him under the name of Sir John Gilbert, the elder brother of Sir Humphrey, Barnard Drake, or Anthony Bridham, to be free of the traffic aforesaid.

The names of all such as now in this present discovery adventure in person with Sir Humphrey Gylberte. [*There are no names, but a blank space left.*]

The names of the four principal officers of said Society, that is the Governor, Treasurer, Agent, and Secretary, elected and chosen by Sir Humphrey before his now departure out of England. *Space left blank.* 11 *pp.* [*Dom. Eliz., Vol.* 156, *No.* 13.]

Dec. 12. **20.** Instructions left by Sir Humphrey Gylberte unchangeably to be observed. 1. The yellow wax is to be broken up at the Land's End of England, and not before, for that it is for their course only. 2. The red wax is not to be broken up before they come upon the coast of America, or within a hundred leagues thereof. 3. The parties to whom the same are delivered are to give their faiths not to do anything contrary to this direction. "There are 12 of the same bales for direction, delivered upon the delivery of Articles of our Agreement, and one little roll with a label wrapped up in red wax, and sealed as the other this 12th of Dec. 1582." Sir Humphrey would have these writings, the Letters Patent, the Grant to the Town, and the Sea Card, and all other things touching this matter, put into an iron chest with three locks and not to forget to speak with Iron Simcottes, merchant of London, at his return from Barbary, for this grant Sir Humphrey had conference with him about before departure. The keys to be kept, one by the Mayor of Southampton, one by Rich. Goddard, and the third by Robert Moore, until the officers be known. 1 *p.* [*Dom. Eliz., Vol.* 156, *No.* 13.]

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Feb. 7. From my house in Redcross St. **21.** Sir Humphrey Gylberte to Sec. Sir Francis Walsingham. As it hath pleased his Honor to let Gylberte understand that her Majesty of her especial care had of his well doing and prosperous success, hath wished his stay at home from the personal execution of his intended discovery, as a man noted of no good hap by sea, for which he is much bound to her Majesty, and knows not how to

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deserve, but by continual prayers and his most faithful and forward service during life, to satisfy the objections of his stay, it may please his Honor to be advertised, that in his first enterprise he returned with great loss, because he would not himself do nor suffer any of his company to do anything contrary to his word given to her Majesty and Walsingham; for if he had not far preferred his credit before his gain, he need not to have returned so poor as then he did. This his last stay at Hampton, hath proceeded by south-west winds of God's making and sending, and therefore not his fault or negligence. If guilty of delay the principal charge is his own, and no loss to any other, his adventures being for the most part in wares. The outrage of this winter hath been a common hindrance to all men of this realm, southward bound: ships driven from the Azores to this coast, without spreading a sail—a thing never heard of before; impossible for him to have performed his journey this winter. Seeing her Majesty is to have a fifth of all gold and silver to be gotten, without any charge to her Majesty, trusts her Highness will not deny him liberty to execute that which resteth in hope, so profitable to her Majesty and Crown. "The great desire I have to perform the same, hath cost me first and last, the selling and spending of a thousand marks land a year of my own getting, besides the scorn of all the world, for conceiving so well of a matter that others held so ridiculous, although now by my means better thought of. If the doubt be my want of skill to execute the same, I will offer myself to be opposed by all the best navigators and cosmographers within this realm. If it be cowardliness, I seek no other purgation thereof than my former service done to her Majesty. If it be the suspicion of daintiness of diet or sea sickness, in those both I will yield myself second to no man living, because that comparison is rather of hardiness of body than a boast of virtue. But how little account soever is made, either of the matter or of me, I trust her Majesty, with her favour for my 28 years' service, will allow me to get my living as well as I may honestly (which is every subject's right), and not to constrain me, by idle abode at home, to beg my bread with my wife and children, especially, seeing I have her Majesty's grant and license under the Great Seal of England for my departure, without the which I would not have spent a penny in this action; wherein I am most bound to her Majesty for her great favour, which of all things I most desire." Protests no man living shall serve her more faithfully. 2 *pp.* [*Dom. Eliz., Vol.* 158, *No.* 59.] *There is a petition in this Volume* [*No.* 50] *from Lady Gylberte, touching the manor of Minster in the isle of Sheppey, purchased of Lord Cheney by Sir Humphrey Gylberte, and conveyed by him to Sir Edward Hobby, being "the only stay that is left her to live by in her husband's absence."*

Feb. 28. **22.** Articles of Agreement between Sir Humphrey Gylberte, of Compton, co. Devon, and Sir George Peckham, of Denham, co. Bucks, and George Peckham his second son. Whereas her Majesty by Letters Patent bearing date 11 June 1578, hath granted to said Sir Humphrey, his heirs and assigns for ever, free liberty to discover

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lands not possessed by any Christian Prince or people, and to occupy and enjoy the same with all commodities, jurisdictions, &c., said Sir Humphrey in consideration that said Sir George hath disbursed divers sums of money as a principal adventurer with said Sir Humphrey, as also for divers other good considerations, doth covenant with said Sir George Peckham and George his son, their heirs and assigns, that they shall for ever enjoy free liberty by virtue of said Letters Patent, to discover any lands, &c., not discovered, and inhabited by any Christian Prince or people by the assignment of said Sir Humphrey, &c., and also to enjoy to their own use all that river and port called by Master John Dee, Dee River, which river, by the description of John Verarzamus a Florentine, lyeth in septentrionall latitude about forty-two degrees, and hath his mouth lying open to the south, half a league broad or thereabouts, and entring within the said bay between the east and the north, encreaseth his breadth, and continueth twelve leagues or thereabouts, and then maketh a gulf of twenty leagues compass or thereabouts, and containeth in itself five small islands, newly named the Cinq Isles, and the said gulf and five isles, and all other isles lying within said river or gulf, together with fifteen hundred thousand acres of ground within the supposed continent, lying next adjoining upon said river, gulf, and five isles, at the choice of said Peckham, &c., to hold the same for ever by soccage tenure of said Sir Humphrey so as the said fifteen hundred thousand acres extend not along the sea coast westward towards the River of Norumbeage above three score English miles at the most, with full power to people and manure the same, with all jurisdictions, privileges, &c., both by land and sea, paying to said Sir Humphrey, &c., for every 1,000 acres after the first seven years, which the same shall be actually manured, five shillings and two-fifths of all gold, &c. Said Peckham and George his son not to be charged with any contribution towards any wars, other than defences, and that only by Act of Parliament, of which assembly said Peckham, and all who bear the name of an associate with him, shall be as principal members, and said Sir Humphrey doth covenant and grant to and with said Peckham, &c., free liberty to trade in said lands, to have the execution of all laws, and to save them harmless concerning the payment of gold and silver ore and other duties to her Majesty, her heirs and successors, by said Letters Patents reserved, and to finish assurance of the premises unto said Peckham, &c., for ever within three months after the first return of said Sir Humphrey or his assigns, consorts, adventurers, or associates from said voyage of discovery now intended. Said Peckham and George his son covenant that they shall do their best endeavour to obtain her Majesty's leave, that all who adventure with them to said countries, and whose names shall be entered in a register book, may freely pass, there to remain or to return at their pleasure. And that they will not defer the execution of justice within their liberties, against any who conspire against the person of said Sir Humphrey, &c., or commit any capital offence, or protect from justice any person, his lands or goods, contrary to the laws to be

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established in said countries. Also that if they shall do any manner of act whereby said Sir Humphrey, his heirs, &c., shal lose the benefit of his said Letters Patent, or publicly maintain any person as shall go about to destroy the right or person of said Sir Humphrey, &c., or seek the subversion of the Commonwealth of said Sir Humphrey, his heirs or successors, their countries or territories, that from thenceforth these presents to become void and of none effect. [*Close Roll*, 25 *Elizabeth*, *Part* 8.]

April. **23.** "A Discourse upon the intended voyage to the hithermost parts of America written for the better instruction of the merchants in the same by Capt. Carleill." After touching upon the early voyages to Muscovy and other parts he says, but who shall look into the quality of this voyage to the hithermost parts of America shall find it hath as many points of good moment as may almost be wished for, it is not any long course for it may be performed to and fro in four months after the first discovery, that one wind sufficeth to make the passage which is upon the high sea without danger on any other coasts and the outward or homeward voyages very well stored with goodly harbours, and as the bordering neighbours are commonly the aptest to fall out with us so these parts being somewhat further remote are the liker to take or give less occasion of disquiet. [*In margin.* This is spoken upon the opinion which by some is conceived that Ireland is not suffered to grow to that perfection which it might be least one day revolting by chance from the Crown, it might prove an overstrong party to be so near an enemy.] But when it is considered that they are our own kindred and esteemed our own country nation which have the government, meaning by those who shall be there planted who can look for any other than the dealing of most loving and most assured friends. Two points of importance concerning the matter of trade. Answer to the objection that it is not for the merchants' purse to continue the charges of transporting and planting, and that since these hundred men which are now to be planted cost 4,000*l.* it is then to be thought that the charge of a far greater number will be also a far greater sum of money. *In the margin.* The ore of metal brought by Mr. Frobisher caused a great supply to be furnished the year following. Sir Francis Drake's only passage thro' the islands of Molucca was the chiefest occasion of the preparation thither which cost not less than thirteen or fifteen thousand pounds. The right examination of this point must be the contrary sequel of the common proverb "Nothing venture, nothing have," so, on the other side by venturing many great good profits are found out to the wonderful benefit of the Commonwealth, therefore would wish that those who are well able to spare what is required of each one towards the undertaking of this adventure be willing to employ the same. Instances the voyages of Jaques Cartier and others and that it is credibly reported that the French by last year's voyage got fourteen or fifteen hundred for every one hundred. 11 *pp.* [*Dom. Eliz., Vol.* 155, *No.* 87.] *Printed in Hakluyt III.*, 228–234., *but with many variations.*

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24. Points set down by the Committees appointed in the behalf of the Company to confer with Mr. Carleill upon his intended discovery and attempt in the northern parts of America. *This document has been erroneously assigned to the year* 1574? *in the first volume of this Calendar. It is printed in Hakluyt III.* 234–5, *but with considerable variations.* [*Col. Papers, Vol. I., No.* 1.]

1583? **25.** Certain questions to be demanded of Davy Ingram, sailor, dwelling at Barking, co. Essex. What he observed in his travels on the north side of the River of May, where he remained three months or thereabouts. How long he travelled there. Whether that country be fruitful and what kind of fruit there be. What kind of beasts and cattle he saw. What kind of people and how apparelled. The buildings. Whether any quantity of gold, silver, pearl, or other jewels, and whether he saw a beast far exceeding an ox in bigness. Ingram's answers to these questions are the same in substance as those contained in his examination in the "Reports of the country Sir Humphrey Gylberte goes to discover." He sayeth that upon his life he offereth to go to the place to approve the same true. *With marginal notes* that Sir H. Gylberte's man reports their houses to be built in like manner, and brought hides of the beast above referred to from the place he discovered. *Endorsed,* "Questions to be asked of David Ingram concerning his knowledge of a discovery." 2 *pp.* [*Dom. Eliz., Vol.* 175, *No.* 95.]

26. "Reports of the country Sir Humphrey Gylberte goes to discover." *Since the "fragment" of this Report was abstracted in the first volume of this Calendar, the missing portion has been discovered bound up erroneously in Dom. Eliz., Vol.* 185, *No.* 88, *which has been restored to this document to which it belongs. The date is most probably* 1583 *instead of* 1580 *and it is entitled as above. It will be seen that the first part of these "Reports" are David Ingram's Answers to the Questions demanded of him in the preceding Abstract.* [*Col. Papers, Vol. I., No.* 2.]

15 May. **27.** Indenture between Sir George Peckham of Denham, co. Bucks, and William Rowsswell of Forde, co. Devon., Sir Humphrey Gylberte's Letters Patent of 11 June 1578, and the Indenture between Sir Humphrey and Sir George Peckham of 6 June 1582 (*see ante, No.* 15) are recited. Said Sir George in consideration of a sum of money with him adventured by said Rowsswell as a principal Adventurer in said voyage [now intended by said Sir Humphrey], and for other considerations, doth covenant with said Rowsswell, his heirs and assigns, that they shall for ever enjoy full power and free liberty, by virtue of said Letters Patent and assignment of the premises, to hold and enjoy one hundred thousand acres of ground, parcell of said five hundred thousand acres of ground to said Sir George granted as aforesaid, with power to make choice of the same, before any other that shall adventure with said Sir George under said Grant, as also to inhabit, people, and manure the same, together with all prerogatives, &c., in as ample manner as said Sir George might have enjoyed the same,

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holding the same by soccage tenure, and paying to her Majesty and said patentee in all things as Sir George payeth rateably. And further paying to said Sir George yearly on first of January one steel target, and one good arming sword in the name of a Chiefage only. And grants to said Rowsswell and to his heirs, and to ten of his assigns and factors serving with him or them, and to their heirs males for ever, free liberty to trade to and from any of the said countries to be discovered by said Patentee or said Sir George, their heirs, deputies, or assigns. [*Close Roll*, 25 *Eliz.*, *Part* 8.]

July 7. **28.** Articles of Agreement between Sir Humphrey Gylberte of Compton, co. Devon, and Sir Philip Sydney of Penshurst, co. Kent. Whereas her Majesty by Letters Patents, bearing date 11 June 1578, hath granted to said Sir Humphrey, his heirs and assigns for ever, free liberty to discover lands not possessed by any Christian Prince or People, and to occupy and enjoy the same with all commodities, jurisdictions, &c. Said Sir Humphrey for the more speedy execution of Her Majesty's said grant, the enlargement of Her Dominions, and the better encouragement of said Sydney and his associates, doth covenant with said Sydney, his heirs and assigns, that said Sydney, his heirs, assigns, associates, adventurers, and people shall for ever enjoy free liberty to discover anything not before discovered or inhabited by said Sir Humphrey, his heirs or assigns, and to enjoy to their own use such lands so discovered as shall amount unto thirty hundred thousand acres, with power to inhabit, people, and manure the same, together with all jurisdictions, privileges, and emoluments whatsoever for governing, peopling, &c., the same, holding same of said Sir Humphrey, his heirs, and assigns in free soccage, paying for every thousand acres after the first seven years which the same shall be actually possessed and manured, fifteen pence and two-fifths of gold, silver, pearl, and precious stones, also one halfpenny sterling yearly to be levied for ever out of every acre after the first ten years that any one farm shall be possessed and manured, which money shall be yearly employed towards the maintenance of a Navy and Soldiers for the general defence of those countries, said moneys to be kept in a treasure house appointed for that purpose, and to be employed by the consent of the Chiefest Governor and of the more part of thirteen Councillors, for martial and marine causes to be chosen by the people. Also that the sixtieth part of all lands of every temporal man and the fortieth part of the lands and revenues of every spiritual person be yearly allowed for the maintenance of maimed soldiers, and learning, and to such other uses as the Chief Governor and Councillors shall think meet. Also the said Sydney, &c., to enjoy free liberty to trade, to have the execution of all laws within the precinct of thirty hundred thousand acres of ground, as also upon the sea coasts so far as said land shall extend, said Sir Humphrey to save said Sydney harmless concerning payment of the ore of gold and silver and all other duties, services, and demands by said Letters Patent reserved, and to finish further assurance of the premises within three months next after the next return of said Sir Humphrey or his assigns, consorts, adventurers, or associates from the said

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voyage of discovery. Said Sydney covenants that he shall do his best endeavour to obtain her Majesty's leave that all who adventure with said Sir Humphrey, Sir Thomas Gerrard, Sir George Peckham, the said Philip Sydney, or any of them, unto said countries, whose names shall be entered in a register book, and shall be willing to travel into any of the said remote countries, may freely pass there to remain or return at their pleasure. And said Sydney covenants that he and his heirs, &c., shall not defer the execution of justice within their liberties, against any conspiring against Sir Humphrey, or committing any capital offence, or protect from justice any person, his lands or goods, contrary to the laws to be established in the before mentioned remote countries. Also that if said Sydney, or his heirs, &c., do anything tending to the subversion of said Sir Humphrey, his heirs, principal Governor, &c., or commit piracy, or open hostility against any Christian Prince or People whereby said Letters Patents be made void, or maintain any person as shall openly go about to destroy the right, title, or person of said Sir Humphrey, his heirs, &c., or the subversion of his Commonwealth, that then this present grant, and all covenants therein contained, to become void and of none effect. [*Close Roll*, 25 *Elizabeth*, *Part* 7, *No.* 1153.]

July. **29.** Articles indented between Sir Philip Sidney, of Penshurst, co. Kent, and Sir George Peckham, of Denham, co. Bucks. Whereas Sir Philip Sidney, by Letters Patent enrolled in Chancery [*see preceding Number*], is authorised to discover and inhabit certain parts of America not yet discovered, and out of those countries to have and enjoy for ever thirty hundred thousand acres of ground, with all commodities, &c., &c., both by sea and land, with power to lead in the said voyage, to travel thitherward or to inhabit there. Now said Sir Philip Sidney, for the more speedy execution of her Majesty's said grant, the enlargement of her dominions, and the encouragement of said Sir George Peckham and his associates in so worthy and commendable an enterprise, doth covenant with said Peckham that he will make good and sufficient assurance in the law of the said xxx^{m} [should be xxxc^{m}, *i.e.*, 3,000,000] acres to said Peckham, his heirs or assigns, as he can or may convey, with all privileges thereunto belonging. And said Sir Philip is contented that all sums of money and commodities received of any adventuring towards said discovery shall be paid to said Peckham, his heirs or assigns, towards furnishing a supply of shipping and other necessaries without account. 12 *pp.* [*Dom. Eliz.*, *Vol.* 161, *No.* 44.]

Nov. ? **30.** Minute of a letter touching the discovery in America, for Mr. Secretary. "Is informed by Anthony Brigham of a very good inclination in Mr. Secretary to the Western discoveries if he may be sufficiently authorized, and have a Society without joining with any other than he makes choice of. Is of opinion he will do well to hearken to such offer as Sir Philip Sidney and Sir Geo. Peckham will make, who have sufficient authority under her Majesty's Letters Patent to perform the effect of his desire, no whit mistrusting but that this voyage will prove profitable to the

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adventurers in particular and generally beneficial to the whole realm. 1 *p.* [*Dom. Eliz., Vol.* 165, *No.* 35.]

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Jan. 7. Paris. From my Lord Ambassador's House.

31. Richard Hakluyt, Preacher [with Sir Edward Stafford], to Sec. Sir Francis Walsingham. Understands his special favour and good will towards him, as also his expectation of Hakluyt's diligent inquiry of such things as may yield light unto our Western discovery. Yields most humble thanks for the two former, and for the latter has not nor will he omit any possible diligence, expecting intelligence from Roanne, Dieppe, and St. Malo very shortly. Has seen in one man's house called Parossi the value of five thousand crowns' worth of furs,—sables, beavers, otters, and other sorts; great quantities of hides also brought home and sent to the Low Countries. All these commodities and others of no less value are brought out of the most nether parts of those countries whereunto our voyage of inhabiting is intended. "And now because I know that this present enterprise is like soon to wax cold and fall to the ground unless in this second voyage all diligence in searching out every hope of gain be used, and calling to mind that your Honor made a motion heretofore unto me whether I could be contented to go myself into the action, these are to put your Honor out of doubt that for mine own part I am most willing to go now in the same, this present setting forth, and in the service of God and my country to employ all my ample observations, reading, and conference whatsoever. For obtaining leave of my Lord Ambassador here to depart, I doubt not but to find means of myself, seeing he may have enough to supply my room. For leave of my College and entertainment in this voyage I will wholly refer it unto your Honor, who wish me so well as you will not see my poor estate impaired. Because the time is exceeding short I would desire your Honor's present answer, upon sight whereof with wings of Pegasus I would soon fly into England. I have talked twice with Don Antonio of Portugal and with five or six of his best captains and pilots, one of whom was born in the East India; they wish all prosperity to her Majesty and yourself, and say that if the queen of England would join with their Master, whose strength by sea they commend unto the skies, that they would know how the king of Spain, our mortal enemy, would easily be met withal, and she much enriched." The Portugals have a voyage in hand with the French, preparing at Newhaven, for the coast of Guinea. One Simon Andreas, born in Savoy and now in Paris, has been lately in the Island of Japan, with whom, by means of Dr. Pena, Hakluyt will have conference in a day or two. Divers other intelligences, tending towards the furtherance of our Western planting and discovery, he looks for from sundry places very shortly. Has been told by Peroffe and Andrew Thevett, the King's Cosmographer, that Duke Joyeuse, admiral of France, and the cardinal of Bourbon and their friends, have had a meaning to send out certain ships to inhabit some place of the North part of America, and to carry thither many friars and other religious persons; but he thinks they be not in haste to do it. 3 *pp.* [*Dom Eliz., Vol.* 167, *No.* 7.]

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March 25. Westminster.

32. Letters Patent to Walter Raleigh, Esq., and to his heirs and assigns for ever, granting them free liberty to discover barbarous countries not actually possessed of any Christian prince and inhabited by Christian people, and to occupy and enjoy the same for ever, with all commodities, jurisdictions, and privileges. They and such as by license of her Majesty, her heirs and successors, shall travel to inhabit there, to build and fortify at the discretion of said Walter Raleigh, &c., the Acts of Parliament against fugitives notwithstanding, with power to take such persons as shall willingly accompany them to inhabit there; also to employ sufficient shipping and furniture for transportation, excepting such as shall be hereafter restrained by the Queen, &c., and to hold and enjoy for ever the soil of all lands so to be discovered, and all cities, castles, towns, villages, and places in the same, with the rights, royalties, and jurisdiction, with power to dispose thereof according to the laws of England, reserving to her Majesty, &c., for all services, the fifth part of gold and silver ore; all which lands shall for ever be holden by said Walter Raleigh, &c., by homage and by payment of said fifth part, with power to expulse and resist by sea and land all persons who without license attempt to inhabit within said countries or within the space of two hundred leagues near to the same, where they or any of their company shall within six years next ensuing make their dwellings, or that shall attempt unlawfully to annoy them; and to take all persons, with their ships and goods, which without their license shall be found trafficking within the limits aforesaid, those trading to Newfoundlands for fishing, as they heretofore have commonly used, or being driven by force of tempest or shipwreck, only excepted, and to detain such persons, ships, and goods, as of good and lawful prize. All such countries to be of the allegiance of her Majesty, &c., with license to said Walter Raleigh, and all persons whose names shall be entered in some of her Majesty's Courts of Record in England, that shall for discovery or conquest hereafter travel and be inhabiting within said countries, to enjoy all the privileges of free denizens of England, any law or custom to the contrary notwithstanding. And it being necessary for the safety of all that shall adventure in those voyages to live together in Christian peace and civil quietness, full power is given to said Walter Raleigh, &c., to punish, pardon, and govern and rule, in capital, criminal, and civil causes, all adventurers in said voyages, or that shall inhabit said countries, or within two hundred leagues of the same, within six years next ensuing, according to such laws as by them shall be established, so as said laws be, as near as may be, agreeable to the laws of England, and not against the true Christian faith or religion now professed in the Church of England, or withdraw any of her Majesty's subjects from their allegiance; with power to the Lord Treasurer and Privy Council to license said Walter Raleigh, &c., to transport out of England and Ireland the goods of their Associates and Companies, with other necessaries and commodities as to said Lord Treasurer and Privy Councillors shall be thought meet for the supportation of said Walter Raleigh, &c., any law to the contrary notwithstanding. Provided always that

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if said Walter Raleigh, &c., shall by sea or land do any act of unlawful hostility to the subjects of her Majesty or any Prince in amity with her, and shall, after proclamation made, not make full restitution and satisfaction, then it shall be lawful for her Majesty, &c., to put them and all the inhabitants of said places out of her Majesty's allegiance and protection, and it shall be free for all Princes and others to pursue them with hostility, as not being her Majesty's subjects. For that express mention of the yearly value or certainty of the premises, or of any other grants to said Walter Raleigh in these presents be not expressed, or any restraint to the contrary before this time made, or any other matter whatever, in any wise notwithstanding. *This has been collated with the copy printed in Hakluyt III.*, 297–301, *and several variations have been found, but not of great importance.* (*Patent Roll*, 26 *Elizabeth, Part* 1.)

March 25. **33.** "Articles out of Walter Raleigh's Letters Patent" abstracted above; *also* "The substance of the Act of Parliament." Since the date of said Letters Patent there is discovered by said Walter Raleigh a land called Wingandaioia, not inhabited by Christian people, from whence some of the people are brought into this realm, and thereby singular great commodities of that land are revealed. Therefore it is to be enacted that said Walter Raleigh, his heirs and assigns, shall by authority of Parliament enjoy said land so discovered, and said Letters Patent to be approved by Parliament. A promise that the Act shall not extend to license any in prison or under arrest, or the wife, ward, or apprentice to depart this realm, or said Walter Raleigh to enlarge any such or take any shipping of any person against his will. 2½ *pp.* [*Dom. Eliz., Vol.* 169, *No.* 36.]

March 25. **34.** "Brief notes concerning the effects of her Majesty's Grant to Walter Raleigh," being an abstract of his Letters Patent calendared above. *Also* copy of said Letters Patent. [*Dom. Eliz., Vol.* 169, *Nos.* 35–37.]

April 1. Paris. **35.** Richard Hakluyt to Secretary Sir Francis Walsingham. The famous disputations in all the parts of the mathematics, at present held in Paris for gaining the lecture erected by the worthy scholar Petrus Ramus, puts him in mind to solicit his Honor again and again for the erection of a lecture of the Art of Navigation, about which he had speech with his Honor Sir Francis Drake, Alderman Barnes, and others. Sends the testament of Petrus Ramus newly put out again in print, the provisions of which he explains, and recommends should be put in execution in England, and Her Majesty be induced to erect such a lecture in Oxford, and the like for the Art of Navigation in London, allowing to each 50*l.* yearly: "In my simple judgment it would be the best hundred pounds bestowed, that was bestowed these five hundred years in England." How necessary are arithmetic and geometry for service of wars, as is the art of navigation for our new discoveries, and long voyages by sea. Such things as he has carefully sought out here in France

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concerning the furtherance of the Western Discoveries, he has imparted to Mr. Carlile. His dealing with Horatio Palavisini to become an adventurer in those western voyages. Among other talk he alleged his Honor's good disposition to the same, which he hearing of, replied very cheerfully that if he were moved thereunto by the least word from His honor, he would put in his hundred pound adventure or more. If Mr. Carlile be gone, yet it might come in good time to serve Mr. Frobisher's turn. The Papists will shortly set forth a confutation of the defence of the execution of justice in England. French news. Earthquake in Geneva. Don Antonio's Captains of his fleet not yet departed from Paris. 3 *pp.* [*Dom. Eliz., Vol.* 170, *No.* 1.]

1585.

Feb. 8. Greenwich.

36. Queen Elizabeth's Warrant to Sir John Perrot, Lord Deputy of Ireland, twenty horsemen and forty footmen having been appointed for Kerry and Clanmorris, and Raphe Lane, one of the Queen's equerries, to the government thereof. "Forasmuch as we have occasion to employ him presently in other our service of importance, we are pleased for his better encouragement thereunto that he during the time that he shall be thus employed shall enjoy that his government" and supply the same by substitute or lieutenant, and also enjoy his full entertainment. *Endorsed*, "Graciously given him by her Majesty in consideration of his ready undertaking the voyage to Virginia for Sir Walter Raughley at her Maj. commandment." [*Correspond., Ireland, Vol.* 114, *No.* 71.] *There are several letters from Ralph Lane in the First Volume of this Calendar, dated from Port Ferdinando Virginia, between* 12 *Aug. and* 8 *Sept.* 1585.

April 7. Paris.

37. Richard Hakluyt to Secretary Sir Francis Walsingham. It pleased her Majesty two days before his dispatch, upon sight of a couple of books of his, one in Latin upon Aristotle's politics, the other in English concerning Mr. Rawley's voyage, to grant him the next vacation of a prebend in Bristol, which is a thing of very small value. The words of his Grant are that he should enjoy it next, whether it be by death, vacation, resignation, or any other way howsoever; and yet since his coming out of England he is advertised that Mr. Sanders, a prebend of that place, either hath or means to resign his room to another, which if not hindered by his Honor's favour, his reversion will not be worth the money the seals stood him in, for if these resignations be permitted he may be these seven and seven years before he shall be placed; therefore beseeches his Honor not to suffer his Grant to be frustrated by any such dealing. How careful he has been to advertise Sir Walter Rawley from time to time, and to send him discourses both in print and written hand concerning his voyage, he had rather his Honor should understand of Sir Walter than of himself. Foreign news. The rumour of Sir Walter Rawley's fleet, and especially the preparation of Sir Francis Drake, doth so much vex the Spaniard and his factors, as nothing can do more, and therefore he could wish that altho' Sir Francis Drake's journey be stayed, yet the rumour of his setting forward might be continued. Report that divers

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Lords in England were up in arms, and with the Catholics had taken an Island. 3 *pp.* [*Dom. Eliz., Addenda, Vol.* 29, *No.* 9.] *Another letter from Hakluyt to Lord Treasurer Burleigh, dated from Paris,* 11 *April* 1588, *relates wholly to Foreign news.*]

June 20. Greenwich. **38.** The Queen's Commission to Barnard Drake. Whereas we have been given to understand that the ships and goods of our subjects have lately been arrested in Spain, and others of our subjects who employ themselves in the fishing at the Newfoundland are determined to make sale of their fish in Spain, we have thought meet to send Barnard Drake not only to advertise our subjects to avoid this danger, but to join with him in doing their best endeavours to seize all ships appertaining to the King of Spain or his subjects, and bring them into some of the western ports of our realm without dispersing any part of their lading until our further pleasure be known. *Draught with corrections, also fair copy.* [*Dom. Eliz., Vol.* 179, *Nos.* 21, 22.]

June. **39.** "A graunt unto the Ladie Anne Gilbert and to her assignes of all such lands in the countie of Kent as Richard Guilford Esquio[r] was seased of at the time of his departure beyond the seas contrarie to a Statute made against fugitives, w[th] a further graunt to the same Ladie of all the goodes chattels and debtes anie way due to the sayd Guylford at his said departure, and that yt shall be lawfull to the said Ladie for the recoverie of the same goodes and debtes eyther to sue for y[e] same in Her Ma[te] name or in her owne. The goodes to have for ever w[th]out anie accompt and the lands for so long time as they shall bee in her Ma hands. Subscribed by Mr. Attorney Generall. Procured by S[r] Walter Rawley, xiij[s], iiij[d]." [*Signet Office Index, Vol. I.*]

Oct. 15. Richmond. **40.** The Council to Sir John Gylbert. On knowledge of a general arrest in Spain of her Majesty's subjects' ships and goods Sir Walter Raleigh was directed to set forth certain ships for interrupting such of the King of Spain's subjects as should repair to the fishing at Newfoundland, which has been executed with so good success as to bring to this realm a good number of Spanish vessels wherein are about 600 mariners. Are credibly advertised her Majesty's subjects in Spain are used in very hard and insufferable sort, therefore think meet to reduce the diet of the Spanish mariners from 3*s.* 4*d.* a man per week to 3*d.* a man per day, the charge to be allowed out of a third part of the fish allotted to the ships' victuals of war. 1 *p.* [*Dom. Eliz., Vol.* 183, *No.* 13.]

1586.

May 26. **41.** Nicholas Clevar to Nicholas Turner, merchant. The captain of a ship of Newhaven come from Sir Fras. Drake, says Drake has taken San Domingo, and that he left there on 22nd January with all the riches of the island, having also taken five great galleons; that he found great provision of oil, wines, and rice, also 350 brass pieces, with powder and shot. That he took away with him 1,200 English, French, Flemings, and Provincials out of prison, besides

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800 of the country captives. The Lord Admiral has a letter directed to Roger How, "delivering the manner of the taking of San Domingo." That Sir Francis played with the Spaniards three days, making many false alarms as though he would have landed, and so wearied and tired them, then very secretly landed 800 men in most warlike order a league or two off, and in the meantime his ships "gave a whole charge," whereupon the enemy issued out of the town to defend the landing, when the 800 men cutting between the enemy and the town upon their backs, and striking up their drums and displaying ensigns, so amazed them that they were scattered, killed, and spoiled very near 10,000. [*Dom. Eliz., Vol.* 189, *No.* 42.]

1586 ?

42. The twenty several Titles or Heads of the Chapters contained in the book of Sir Walter Raleigh's voyage to the West Indies, "which, because of the rareness of the matter therein contained, and also for that few or none (her Majesty excepted) have seen, I thought it best to offer your Worship my labour therein as one who best observeth the same; and therefore have sent you the titles to know whether you like of the same or no. This bearer and author of the foresaid work, Mr. Hakluyt, doth at this instand present the book written all with my hand to Mr. Secretary, who hath very earnestly oftentimes writt for it, and so hath the Earl of Leicester; but as yet this is the first exscription, and, if your Worship please, you shall have the second when I shall understand so." *Supposed to be in the handwriting of Lancaster, the celebrated navigator.* 3 *pp.* [*Dom. Eliz., Vol.* 195, *No.* 127.]

1588.

Sept. 5. **43.** The names of certain Englishmen, prisoners in Spain and the Low Countries, whose friends here desire to have of the Spanish prisoners to redeem them with. These include Ferdinando Gorges, Coniers Clifford and Edward Wingfield, prisoners at Lille. *Is this the Edward Wingfield the fourth name in the Virginia Charter of* 1606 [*see No.* 48], *who was President of that Colony in* 1607, *see Col. Cal.*, 1574–1660, *pp.* 5–6. [*Dom. Eliz., Vol.* 216, *No.* 6.]

1591.

Dec. 23. **44.** "A Discourse of the Indies." All the mines of India belong to particular merchants, and the King has 15 in the 100 of every one of them at the marking, and it is death and loss of goods to carry gold or silver out of the country unmarked. What is got out of the mines of each Province by public order has to be brought to the Cities where the States are, to be marked, and the 10 in the 100 taken for the King is then supplied to the merchants. There are 4 notable places under the king of Spain in the Indies, viz., Nova Hispania and the Province of Funduras (*sic*) in one Continent, and Peru and Novo Regno also in another Continent. Nova Hispania has no gold of itself, but has a Haven in the other which has, and the King sends 2 or 3 ships yearly to China who change silver for gold, and it is death for strangers to land in China for trade, but there are Islands appointed for that purpose. The silver of Nova Spania is marked at Mexico, from whence they take

1591.

it to Vera Cruz and then to St. John del Luva, where it remains until the Fleet is appointed, who load it about 12 days before setting sail. Funduras has two Havens called Trusiglio and Porto de la Vallo, out of which Province there is a great store of money, but the good done is not known. Peru has gold and silver; Lima is the place for making it, and Cagliaco de Lima is the principal Haven, and where the treasure used first to be laden, and then carried to Panama on the coast of Peru, and thence by land to Nombre de Dios, in terra firma dil Peru (*sic*), and shipped to the Havana. Novo Regno has mines also, but more of gold than silver, the treasure of which Province, when marked, used to be conveyed to Carthagena, where the other ships of Peru used to meet and then go for Havana, but the Discoverer does not know as to the amount of good done. Havana is the key of the Indies, insomuch that he who is Lord of that obtaineth the rest. Understands there is extreme want of money in Spain, and as it is likely they will hasten the treasure left at Havana, "so that without speed there is no hope of the present." Great secrecy is needed, for the Spaniards have often prevented the intentions of the English, having long before been certified of their purposes. Good ships should be prepared, not many in one place, but scattered in the divers ports with orders to meet "at the secret appointment" when prepared "that they may be gone before they seem to have been thought of." 1½ *pp. Endorsed as above.* [*Col. Papers, Vol.* 32, *No.* 1.]

1593.
Oct.?

45. Commission to Richard Hawkins. To attempt some enterprise with a ship, bark, and pinnace against the king of Spain, his subjects, and adherents upon the coasts of the West Indies, Brazil, Africa, and America, or in the South seas, granting him and his partners whatsoever he shall take either by sea or land, reserving to the Queen, her heirs and successors, one-fifth part of all treasure, jewels, and pearls. 1¼ *pp.* [*Dom. Eliz., Vol.* 245, *No.* 126.]

1596.
April 25.
Plymouth.

46. Wm. Stallenge to Sir Robt. Cecil. Is very sorry to write such unpleasant news, yet has thought it his duty to advertise. On Friday last certain ships arrived of Sir Francis Drake's fleet at Falmouth, but himself and Sir John Hawkins, with many other men of worth, he understands are dead. Sends packet of letters for Alderman Walker, wherein his servant, Capt. Goodwin, sends a particular relation of the whole voyage, which he incloses, so that Sir Robt. may be informed by Alderman Walter of all things at large. Perceives their company are returned in great distress for want of victuals. Some things they have brought, but as it is reported nothing near to countervail the charges of the Journey, *Extract. Encloses,*

46. I. "Journal of the voyage of Sir Francis Drake and Sir John Hawkins by Capt. Troughton." Set sail from Plymouth on 28 Aug. [1595] "for our pretended voyage." Along the coast of Spain many unkind speeches passed with our generals, "such as Sir John Hawkins never put off till death." Consultation as to taking the Grand

1596.

Canaries, Sir Francis in favour of the design, Sir John against it, but at the earnest request of some friends was content to assist, yet in his judgment labour lost. Anchored 26 Sept. before the fort that guards the landing place at the Grand Canaries, but after some show of resistance Sir Thos. Baskervile made his retreat without putting foot on land. Came to Dominica 28 Oct., and two days after anchored at Guadaloupe. On 31 Oct. Sir John Hawkins "not able to bear his griefs out longer sickened." On 4 Nov. anchored among the Virgin Islands, and on 12 Nov. at Portorico, where Sir Nicholas Clifford was killed by a shot, and on this day also died Sir John Hawkins, whose death of many was much lamented. Five frigates in the harbor, but only succeeded in burning one of them. Dec. 2 took Rio de la Hatche, where was found great store of pearls, plate, jewels, and ryals, silks, rich apparel, and much other luggage, and Sir Francis from another town took great quantity of pearl and luggage. The Spaniards ransomed their houses, negroes, and prisoners for 24,000 pieces, every piece 6*s.* 6*d.* They burnt Rio de la Hatche, Bangaria, and Tapia, also Sancta Marta. Great store of gold, silver, and jewels taken at Nombre de Dios. 29 Dec. Sir Thos. Baskerville, Col. Gen., with all his ablest captains and soldiers, took the journey for Panama, "now the mark of our voyage," but impeded by some Spaniards and Negroes made their retreat to the ships. [1596] 5 Jany. all our men being shipped and the town and galliots put to fire, sailed by advice of a Spaniard to the river Nicaragua. On 28 Jany. came in with Puerto Bello, "this morning died our general Sir Francis Drake." Feb. 8 Sir Thos. Baskerville, "taking upon him general," set sail homewards, but not able to recover higher than Carthagena put over for Jamaica and lost four ships. Descried twenty of the King of Spain's war ships "waiting our home coming." It was Capt. Troughton's fortune to take the Vice-Admiral, "one of the twelve apostles of the King, the manner of our fight and my deserving I leave to the report of even my enemies." Demanded of Sir Thos. Baskerville his promise of victuals, but he refusing told him I must make more haste home than I presumed he would, when in a storm on 14 March I left him. 4 *pp.* [*Dom. Eliz., Vol.* 257, *Nos.* 48, 48 *I.*]

[1597.]

47. Petition of "Her Highness' faithful subjects falsely called Brownists" to the Lords of the Council. Her Majesty's natural born subjects, true and loyal, many living in other countries as exiles, and the rest in her Grace's land, greatly distressed thro' imprisonment and great troubles sustained only for matters of conscience. And whereas means now offer for their being in a far country which lieth to the west in Canada, where they may not

[1597.]

only worship God as in conscience persuaded by his word, but also do her Majesty and their country great good service by annoying that bloody and persecuting Spaniard about the Bay of Mexico. Pray their Honors to be a means to her Majesty that they may peaceably depart thither, promising to remain faithful and loving subjects, and that wheresoever they become they will live and die faithful to her Highness and this land of their nativity. [*Dom. Eliz., Vol.* 246, *No.* 56.] The date is supplied by the Council Register in the Privy Council Office. The petitioners sailed in the ships Hopewell and Chancewell, and went to an island called Rainé in the Gulf of St. Lawrence. The researches of Mr. J. A. Doyle, the historian, have revealed the fact that only *four* Brownists absolutely went out.

1606.
April 10. Westminster.

48. Letters Patent to "our loving and well-disposed subjects," Sir Thomas Gates, Sir George Somers, Richard Hakluyt, Prebendary of Westminster, Edward Maria Wingfield, Thomas Hannam, Raleigh Gilberte, William Parker, George Popham, "and divers others," suitors to his Majesty for license to make habitation, and plantation, and to deduce a colony of sundry of "our people" into Virginia, and other parts in America, appertaining to his Majesty or not actually possessed by any Christian Prince or People, along the Sea coasts and in the main land, between 34 deg. and 45 deg. N. L., and the Islands adjacent or within one hundred miles of the coast; who are desirous to divide themselves into two several Colonies and Companies, the one consisting of certain Knights, Gentlemen, Merchants, and other Adventurers of London and elsewhere, to begin their plantations and habitations between 34 and 41 deg. N. L.; and the other, consisting of sundry Knights, Gentlemen, Merchants, and other Adventurers of Bristol, Exeter, Plymouth, and other places, to begin their plantations and habitations, between 38 and 45 deg. N. L. The King, greatly commending and graciously accepting of their desires to the furtherance of so noble a work, which may, by the Providence of Almighty God, hereafter tend to the Glory of His Divine Majesty, in propagating of Christian Religion to such people, as yet live in darkness, and miserable ignorance of the true knowledge and worship of God, and may in time bring the Infidels and Savages living in those parts, to human civility and to a settled and quiet Government, for himself, his heirs and successors, grants and agrees, that said Sir Thomas Gates, Sir George Somers, Richard Hakluyt, and Edward Maria Wingfield, Adventurers of London, and all others joined with them, shall be called the first Colony, and may begin their first plantation, where they think fit between said 34 and 41 deg. N. L., and enjoy all lands, havens, rivers, mines, minerals, waters, fishings, commodities, and hereditaments whatsoever, for fifty English statute miles along said coast of Virginia and America towards the West and South-west, and for fifty like miles towards the East and North-east, with all islands within one hundred miles, directly over against the same Sea Coast, and, directly into the main land for one hundred like miles; with power to inhabit there, and to build and fortify to their best discretions and by

1606.

the direction of the Council of that Colony, no others to plant and inhabit, without license of the Council of that Colony in writing. His Majesty likewise grants and agrees, that said Thomas Hannam, Raleigh Gilberte, William Parker, George Popham, and all others of Plymouth, co. Devon or elsewhere, joined with them, shall be called the Second Colony, and may begin their said first plantation where they think fit between said 38 and 45 deg. N. L.; with all lands, &c., for fifty miles, &c., and all islands, &c., directly into the mainland, for one hundred miles; with power as before provided for the first Colony, &c. Provided always, that the last Colony planted shall not be within one hundred miles of the other. Each of said Colonies shall have a Council, to govern all matters within said Colony, according to instructions to be signed by his Majesty under the Privy Seal; each of which Councils to consist of thirteen persons, to be ordained and removed from time to time according as shall be directed in same instructions; and Council to have a seal, with the King's Arms engraven on one side and his portraiture on the other; the seal for the Council of said first Colony, to have engraven round about on one side, these words, "Sigillum Regis Magnæ Britanniæ Franciæ et Hiberniæ," and on the other side "Pro Consilio primæ Coloniæ Virginiæ"; the seal for the Council of said Second Colony to have on one side, said inscription, and on the other side "Pro Consilio secundæ Coloniæ Virginiæ." A Council also to be established in England, to consist of thirteen persons, to be appointed by his Majesty, &c., to be called "Our Council of Virginia," to have the superior direction of said Colonies, and to have a seal with said like arms and portraiture, with the inscriptions "Sigillum Regis Magnæ Britanniæ Franciæ et Hiberniæ" and "Pro Consilio suo Virginiæ." With power to the said several Councils to dig for all mines of gold, silver, and copper, within any part of said Colonies, and to enjoy the same, yielding to the King, &c., the fifth part of all gold and silver, and the fifteenth part of all copper; and to establish and cause to be made, a coin to pass current there, for the more ease of traffic amongst them and the natives. And power to said Sir Thos. Gates, Sir George Somers and the others aforenamed, and to the said several Companies, Plantations, and Colonies, to lead in said voyage to inhabit in said Colonies, such of his Majesty's subjects as shall willingly accompany them, with sufficient shipping and furniture of armour, weapons, ordnance, powder, victuals, and all other things necessary for said plantations. Provided always that none of said persons be such as shall be hereafter specially restrained by his Majesty's license to said Sir Thos. Gates and others aforenamed, to expulse and resist by sea and land, all persons that shall without special license attempt to inhabit within the precincts of said Colonies, or do anything to the hurt, detriment or annoyance of the same; to take all persons, with their ships and goods, found trafficking within the precincts of said Colonies, until they, being his Majesty's subjects, shall agree to pay to the Treasurer of that Colony two-and-a-half upon any hundred bought or sold, and if strangers, five upon every hundred; said sums of money for one and twenty years to be employed to the use of said plantations,

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and afterwards to the use of his Majesty, his heirs and successors. With liberty to said Colonies to transport the goods, chattels, armour, munition, and furniture needful for their apparel, defence, or otherwise, out of his Majesty's Dominions for seven years free of customs, or other duty. With power to all inhabitants of said Colonies and their children to enjoy all liberties, &c., as if born in his Majesty's Dominions. If any person shall transport any wares, &c., with the pretence of disposing of the same within the precincts of said Colonies, and shall carry same into any Foreign country, with a purpose to dispose of the same without license of his Majesty, said goods to be forfeited to his Majesty. Provided always that if any person rob, spoil, or commit any act of hostility by sea or land upon the subjects of his Majesty, or of any Prince in amity with him, and after Proclamation shall not make full satisfaction, said person to be put out of his Majesty's allegiance and protection. Finally, his Majesty for himself, his heirs and successors, grants and agrees that upon petition in that behalf to be made, his Majesty will, by Letters Patent, grant to such persons, as the most part of the Council of each Colony shall nominate, all the lands, tenements, and hereditaments which shall be within the precincts of that Colony aforesaid; to be holden of his Majesty, his heirs and successors, in fee and common soccage only, and not in capite; all which lands, &c., shall be so distributed and divided amongst the Undertakers for plantation of said Colonies and the planters therein, in the manner to be ordered by the most part of said Councils of said Colonies. [*Patent Roll*, 4 *Jas. I.*, *Part* 19, *No.* 1709. *Printed in Hazard.*]

1609.
May 23.

49. Letters Patent for colonizing lands in Virginia. Whereas at the suit of divers his Majesty's subjects intending to deduce a Colony and make plantation in Virginia and other parts of America not possessed by any Christian prince or people, his Majesty has, by Letters Patent of April 10, 1606 [*see ante, No.* 48], granted to Sir Thomas Gates, Sir George Somers, and others to divide themselves into two Colonies, as therein set forth. Now forasmuch as divers Adventurers and Planters of said First Colony have been suitors to his Majesty to grant them an enlargement of said privileges, &c., and that such Councillors and other officers may be appointed to manage their affairs as are ready to adventure with them and whose dwellings are not far from London, his Majesty greatly affecting the success of said plantation, grants to Robert Earl of Salisbury, Thomas Earl of Suffolk, Henry Earl of Southampton, &c. (*here follows a list of Earls, Lords, Knights, Doctors, Captains, City Companies, and others, occupying* 3 *membranes*), and to such as they shall hereafter admit to be joined with them in form hereafter expressed (whether they go in person or adventure their monies and goods), that they shall have one common seal, be incorporated by the name of the Treasurer and Company of Adventurers and Planters of the City of London for the First Colony in Virginia, and be enabled by that name to purchase, plead, and be impleaded. And his Majesty grants to said Treasurer, &c., under the limitations hereafter expressed, all

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those lands in Virginia, from Cape or Point Comfort along the coast to the northward 200 miles, and southward 200 miles, and into the land from sea to sea, also all the islands within the 100 miles along the coasts of both seas of the precinct aforesaid, with all the soils, havens, minerals, waters, privileges, &c., whatsoever, is as ample manner as his Majesty has granted to any Company or Adventurer into foreign parts, to the sole use of them and their successors, yielding the fifth part only of gold and silver. And said Treasurer, &c., shall distribute portions of land, &c., to Adventurers and Planters, wherein respect shall be had as well of the proportion of the adventure as of the merit of any person. And his Majesty ordains that there shall be perpetually a Council here resident, with a seal for government of said plantation, besides the legal seal of the Company as in former Letters Patents expressed; that Henry Earl of Southampton, &c. (*here follows a list of Earls, Lords, Knights, and others, including Sir Thomas Smith, occupying* 19 *lines*), shall be his Majesty's Council for said Company; and Sir Thomas Smith, Treasurer. And said Treasurer and Council shall be henceforth nominated, chosen and altered out of said Company by the major part of said Council and Adventurers; provided that every Councillor so elected, shall be presented to the Lord Chancellor, Lord High Treasurer, or Lord Chamberlain to take his oath. And if said Treasurer be sick or absent, he may appoint one of the Council (allowed by said Council) to be Deputy Treasurer, and execute all things belonging to said Treasurer. And further his Majesty grants to said Council power to constitute and discharge governors and officers, and to make and revoke all manner of laws and ceremonies necessary for the government of said Colony, and upon the seas going and coming to and from said Colony. And his Majesty declares that from the time that the Governor appointed by said Council shall arrive in said Colony the authority of the President and Council by former Letters Patent there established, and all laws by them made shall utterly cease; straitly charging the President and Council now resident in said Colony to be obedient to such Governor. And said Treasurer and Council shall have power to admit any person into their Company, and in a general assembly of the Adventurers, with the consent of the major part upon good cause, to put any person out of said Company; also to search for and enjoy all manner of mines and minerals in any part of the mainland not formerly granted to any other, yielding as aforesaid; and to take to said plantation such of his Majesty's subjects, and strangers who will become his Majesty's subjects, as shall willingly accompany them, with sufficient shipping, weapons, victuals, ware, cattle, and all things necessary for use, defence, and trade, without paying any custom or tax for the space of seven years; provided that none of said persons be by name restrained by his Majesty, his heirs or successors. And said Company shall be free of all customs in Virginia for one and twenty years, and from all taxes for ever upon importation and exportation from or into any of his Majesty's dominions, except 5 per cent. custom on goods imported; and such custom being paid it shall be lawful for them to export said goods into foreign parts,

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without any other duty, within thirteen months after landing. And said Treasurer, Company, and their officers, may resist by force of arms all that shall attempt to inhabit within the precincts of said Colony, without their special license or enterprise any annoyance to the same; and may take all persons with their ships and goods trafficking within said precincts, until they shall pay to said Treasurer, &c., above such custom as the Company shall pay, if of any persons of his Majesty's dominions five pounds, and if strangers ten pounds per cent. on all goods carried in and out, said sums for 21 years to be wholly employed to the benefit of said Colony, and afterwards to the use of his Majesty. And all his Majesty's subjects which shall go to said plantation and their posterity, shall enjoy all liberties, &c., as if abiding and born in England. And his Majesty grants to said Treasurer and Company and their officers power to punish and govern all that shall adventure in any voyage thither or inhabit said Colony, according to such order as shall be established by said Council agreeable to the laws of England; and to exercise martial law in cases of rebellion or mutiny. If any person shall transport monies or goods out of his Majesty's kingdoms, with a pretence to dispose of them within said Colony, and afterwards shall carry the same to sell in any foreign countries, said goods and the ship shall be forfeited to his Majesty. These presents to be interpreted in the most beneficial manner for said Treasurer and Company; and his Majesty confirms all privileges, &c., granted in his former Letters Patents [of 10 April 1606] and not in these revoked or altered. Finally, all persons admitted by said Council and Company as adventurers of said Colony and enrolled in the book of Adventurers, shall enjoy all the privileges, profits, &c., as amply as if they had been named in these Letters Patents; and lastly, because the principal effect his Majesty can desire of this action is the conversion of the people in those parts to the true worship of God, in which respect his Majesty would be loath that any should pass that affect the superstitions of the Church of Rome, none shall be permitted to pass in any voyage to said country, but such as first shall have taken the Oath of Supremacy, which the Treasurer and any three of the Council may tender to all such as shall be sent on said voyage. [8 *Membranes, Patent Roll,* 7 *Jas. I., Part* 8. *Printed in Hazard.*]

1610.

May 2. **50.** Letters Patent to Henry Earl of Northampton, Keeper of the Privy Seal; Sir Laurence Cranfield, Chief Baron of the Exchequer; Sir John Doddridge; Sir Francis Bacon, Solicitor General; Sir Daniel Dunn, Sir Walter Cope, Sir Percival Willoughby, and Sir John Constable, John Weld, Esq., Wm. Freeman, Raphe Freeman, John Slany, Humphrey Slany, Wm. Turner, Robt. Kirkham, John Weld, gent., Rich. Fishborne, John Browne, Humphrey Spencer, Thos. Juxon, John Stukeley, Ellis Crispe, Thos. Alport, Fras. Needham, Wm. Jones, Thos. Langton, Phillip Gifford, John Whittington, Edward Allen, Richard Bowdley, Thos. Jones, Simon Stone, John Short, John Vigars, John Juxon, Rich. Hobby, Robt. Alder, Mathew Haviland, Thos. Aldworth, Wm. Lewes, John Guy, Richard Hallworthie, John Langton,

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Humfrey Hooke, Philip Guy, Wm. Merridith, Adrian Jenninges, and John Dowghtye, their heirs and assigns, to be one body or "commynalty," known and incorporated by the name of the Treasurer and Company of Adventurers and Planters of the City of London and Bristol for the Colony or Plantation in Newfoundland. Being desirous to establish a colony or colonies in the southern and eastern parts of Newfoundland, unto the coast and harbour whereof our subjects for fifty years and upwards yearly used to resort in no small numbers to fish, intending to secure said trade of fishing for ever, We, being well assured that the lands and countries adjoining said coasts where our subjects used to fish remain so desolate of inhabitants that scarce any one savage person hath in many years been seen in the most parts thereof, and well knowing the same is very commodious for us and our dominions, and that by the law of nature and nations we may possess ourselves and make grant thereof without doing wrong to any other Prince or State, considering they cannot justly pretend any sovereignty or right thereunto, in respect the same is not possessed or inhabited by any Christian or any other whomsoever; and therefore thinking it an action well beseeming a Christian King to make true use of that which God created for mankind, but principally to increase the knowledge of the Omnipotent God and the propagation of our Christian faith, We have accepted their suit, and by these presents grant to those above named all that portion of Newfoundland, with the reservations and limitations hereafter expressed, to the southward of the parallel line to pass by the Cape Bonwiste (Bonavista?) inclusive, which cape is to the northward of Trinity Bay, and to the eastward of the meridian line to pass by Cape Saint Maries inclusive, which cape is to the eastward of Placentia Bay, together with the seas and islands within ten leagues of the sea coast, and all lands and islands between 46 and 52 degrees of N. latitude, with all mines, minerals, and precious stones, fishings, huntings, and commodities, &c., and all prerogatives, royalties, franchises, &c., whatsoever. Nevertheless that there be unto all persons of what nation soever, and to our subjects who do at present or hereafter shall trade to the parts aforesaid for fishing, all liberties, powers, and easements, and all other benefits whatsoever, as well concerning their said fishing as all other circumstances, in as large and ample manner as they have heretofore enjoyed the same, without disturbance or exaction, anything in these presents to the contrary notwithstanding. To have and to hold said lands and territories to the sole and proper use of said Treasurer and Company, their successors and assigns, as of our manor of East Greenwich, paying the fifth part of gold and silver ore. A Council of twelve persons resident in London to be established, to order and govern all matters arising in said plantation. Said Council to have a seal besides the legal seal of the Company, with arms on one side and our portraiture on the other side; the legal seal to have engraved on both sides the words: *Sigillum Thesaurarii et Commitatis Terre Nove*, and the seal for the Council on one side *Sigillum Magni. Britan. Franc. et Hibern.*, and on the other side *Per Consilio Terre Nove*. Sir

1610.

Percival Willoughby, John Weld, Esq., Raphe Freeman, Rich. Fishburne, John Stukely, Wm. Turner, Wm. Jones, John Slany, Hump. Slany, John Weld, gent., Thos. Juxon, and Thos. Jones to be the Council, John Slany, Treasurer, with authority to warn the Council and summon the Company to their Courts and meetings, said Council and Treasurer to be hereafter chosen out of the Comp. by the voice of the greater part. With power to make a coin to pass current in said Territories of Newfoundland, of such metal and form as said Council shall appoint. The Treasurer to have power to appoint a Deputy with consent of the Council, in case of sickness or otherwise absent. And the Council to appoint Governors, Officers, and Ministers for the government of any colony in said territories, and to establish laws, &c., necessary for the government of said colonies, and revoke same, as also upon the seas in going to and fro. From the time of the arrival in Newfoundland of such Governor or principal Officer appointed by said Council and his giving notice of his Commission, all Officers, Governors, and Ministers formerly constituted shall be discharged, and upon their allegiance be obedient to such government. With power to said Treasurer and Council, or any five of them, the Treasurer being one, to grant the freedom of their Company, with consent of the majority, and upon good cause to disfranchise any person. Power to dig for minerals and enjoy the same, paying to us, our heirs and successors as aforesaid; also to take over our subjects or any strangers that will become so and live under our allegiance, with shipping, ordnance, victuals and merchandize, cattle, horses, and all other necessaries for the use, defence, and trade of the people there if any be inhabiting, without payment of custom or any other tax for seven years from the date of these presents, and to be free of subsidies and customs in Newfoundland for one and twenty years, and from all taxes and impositions for ever upon any imports or exports to or from England or our dominions, except five per cent. when it shall be lawful to carry them into foreign parts, provided said goods be shipped out within thirteen months after the first landing within any part of those dominions. Power to Governor and Officers of said Council of government over any colony or plantation in the limits aforesaid, and to resist by force of arms, by sea and land, any attempting to inhabit within said limits without license, and to seise their ships and goods; and being allowed by said Comp. to be adventurers or planters, to pay, over and above the subsidy and custom paid by said Comp., five per cent. upon all goods brought in other than for the necessary use of fishing as hath been heretofore accustomed, and also five per cent. upon all goods shipped out from thence with said exception, and strangers and not under our obedience, ten per cent., which for twenty-one years shall be wholly employed for the benefit of said Company or plantation, after which same shall be taken to the use of us, our heirs and successors. All persons inhabiting said colony being our subjects, with their children born therein, to be free denizens and natural subjects. And forasmuch as it shall be necessary for all who shall inhabit within the territories of Newfoundland to determine

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to live together in the fear and true worship of Almighty God, Christian peace, and civil quietness each with other, whereby every one may with more safety, pleasure, and profit enjoy that whereunto they shall attain with great pains and perils, absolute power is granted to said Company to punish, pardon, and govern all inhabiting within said territories or in the way by the seas thither, as well in cases criminal as civil and marine, as near as conveniently may be to the laws of England, with power of martial law in rebellion or mutiny. If any adventurers or planters of said colony transport money or goods out of our kingdom for said territories and carry same into any foreign country, said goods, chattels, and ships shall be forfeited to us, our heirs and successors. All questions and doubts in these Letters Patent to be interpreted in the most beneficial manner to said Company. All adventuring any sums of money towards said colony or colonies in Newfoundland, who shall be admitted and enrolled in the book or record of adventurers of said Company, to have the same benefits and privileges as though their names were inserted in these Letters Patent. Lastly, because the principal effect which we can desire or expect of this action is the conversion of the people in those parts, if any be there inhabiting, unto the true worship of God and Christian religion, in which respect we would be loth that any person should be permitted to pass that we suspect to affect the superstitions of the Church of Rome, that none be permitted to pass to said territories without taking the oath of supremacy before said Treasurer and Council of said Company. Provided always, that if any persons of said colony rob or spoil, by sea or land, any of our subjects or of those in amity with us, and after proclamation shall not make full restitution and satisfaction, it shall be lawful to pursue said offenders with hostility. [*Patent Roll*, 8 *Jas. I., Part* 8.] *There is an extract only of this patent in* 1*st Vol. of this Calendar, p.* 21, *No.* 41, *I. Patents were also granted to Sir Geo. Calvert on* 31 *Dec.* 1622 *and on* 7 *April* 1623, *and to the Marquis of Hamilton, Earl of Pembroke, Earl of Holland, and Sir David Kirke, on* 13 *Nov.* 1637. *See* 1*st Vol. of this Calendar, p.* 260.

1611.

Feb. 6. The Hague.

51. Sir Ralph Winwood to Lord Treasurer Salisbury. Has received his Lordship's letters in favor of Sir Thomas Gates; and because the like motion some few days before was made for Sir Thomas Dale, which the Prince was pleased to recommend to the States Ambassadors when they were in England, whereunto the States General gave this answer, that during his absence for three years his company should be upholden for him, but in the meantime the "treatment" for his person as Captain should cease, fearing Sir Thomas Gates should find no greater favor, he first acquainted Count Maurice with the charge he had received from his Majesty, and then Mons. Barnevelt, before his audience with the States General, whom he addressed in these words [*Speech in French*]. Your Lordships have heard, for it is noised everywhere abroad, howsome English Lords and other honorable gentlemen of quality, at their expense, have undertaken to plant a colony of our

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nation in Virginia. Among others who have laboured for the success of this design, there is not one who has not done more to advance it than one of your Captains named Sir Thomas Gates, who the past year was there, where the providence of God led him, after having run the risk of shipwreck, being cast in a tempest upon the Bermudas, where he dwelt with all his followers more than forty weeks. His Majesty of Great Britain desiring the happy issue of this undertaking because of the good which he foresees will arise out of it, as well for the Christian religion as for the increase of commerce, is of opinion that nobody is more fit to be employed there than said Sir Thomas Gates, as well for his sufficiency as for the knowledge (practique) he has of these quarters of the world. This is why his Majesty has commanded me to beg your Lordships in his name and on his behalf, that with your kind permission he may be able to make once more a tour in those countries and remain for some time there to govern the Colony, until your service recalls him home; and still that his Company may be entertained until his return, under the charge of his lieutenant and other officers. It is no great thing; and besides these little favours draw closer together the bonds of friends and allies. It must not be feared that this demand will be drawn into a precedent, for there is only he and Captain Dale destined for employment in this service. I beseech your prompt resolution; the business does not require long deliberation. Sir Thomas Gates is under orders and the four ships destined this time for the voyage to Virginia are ready to set sail and only await a (favurable) wind and his coming. To this speech the States General made answer through their President that they were content, that, at his Majesty's instance, Sir Thomas Gates might be employed in Virginia, during which time his company should be entertained, but his treatment as Captain to cease. Winwood answered that was the mulct ordinarily imposed on them who were absent without leave, but the President replied the resolution was taken by the States and could not be altered. Requested them to advise better of it, and send an answer in writing; encloses copy, having delivered the original to Sir Thomas Gates. The States think they do him an extraordinary favor to bind themselves during his absence to the upholding of his Company. *Encloses,*

51. I. Answer of the States General to the proposition made for Sir Thos. Gates. The States General of the United Provinces of the Low Countries having deliberately advised upon the recommendation made in their assembly by Sir Ralph Winwood, Ambassador from the King of Great Britain, in favour of Thomas Gates, Captain of an English Company in their service, to be permitted to absent himself from his Company for the time that his Majesty will wish to employ him on the voyage he is about to make with four ships to Virginia, or for such time as their Lordships may wish to limit him to, allowing him nevertheless to enjoy his ordinary treatmemt of Captain, &c., declare that they desire nothing more than to please and serve his Majesty in all things, when the

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consequence does not prejudice the interests of their State, and in this sense they are content to grant Captain Thos. Gates leave of absence so long as the affairs of these countries will permit, that during such time his Company be entertained and his post of Captain reserved for him till he returns, if he likes. Nevertheless, it must be well understood that during his absence he cannot enjoy his pay (*traictement*), and even in this respect the Province will have particular difficulty in paying his Company. The States General request the Lord Ambassador to make this excuse agreeable to his Majesty. *French. Together, 5 pp.* [*Correspondence, Holland.*]

April 10. Madrid. **52.** Sir Francis Cottington, Ambassador in Spain, to Lord Treasurer Salisbury. The ships built at the Havana, and said to be ordained for a journey into Virginia, are now in Lisbon. Is daily told by many that from thence shall the Virginian voyage proceed and with at least forty sail of ships, to which he gives so little credit (knowing the poor ability of this State) as he is almost ashamed to advertize it unto his Lordship, yet can assure him out of his own knowledge that with those plantations they are here so much troubled as they know not how to behave themselves in the business. [*Extract, Correspondence, Spain.*]

April 23. Madrid. **53.** Sir Francis Cottington to Lord Treasurer Salisbury. The rumour of sending from hence certain armed galleons into Virginia doth daily increase, but he is still so far from believing it as he would not willingly that his Lordship should so much as dream of it. [*Extract, Correspondence, Spain.*]

Nov. $\frac{2}{12}$. Madrid. **54.** Hugh Lee to Thomas Wilson, Secretary to Lord Treasurer Salisbury. The success of Francis Lymbrye, the English pilot that went out of Portugal to the discovery of Virginia, is happened unto him as I ever hoped it would, for the carvel that carried him is returned without him; but whether he were stayed there against his will, or that out of his love to his country he stayed himself, I refer me to the truth which you shall receive from thence; but very glad I am that he returned not to make report of what was committed to him in charge. I hope the advertisement given of his going will be esteemed for a loyal service. It hath pleased my Lord Ambassador to acquaint me with this news, unto whose larger relation I refer you. [*Extract, Correspondence, Portugal.*]

Nov. 4. Madrid. **55.** Sir "Jhon Digbye" to Lord Treasurer Salisbury. "I advertized your Lordship of one James Limry an English Pilot serving the King of Spain, who was sent to the West Indies, and was said to be returned some few days before the Armada went out, but I since understand that he remaineth in Virginia, having been sent thither from the Havana upon discovery, where arriving he went on shore with the Captain of the ship and one man more, saying that distress of weather had brought him thither, whereupon a Pilot was sent aboard to bring in their ship; but because this Limry came not aboard, according to his promise, the Master

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of the ship, growing jealous, set sail and went back to the Havana, carrying with him the Pilot which was sent aboard him at Virginia. This news cometh by a Frenchman and an Irishman, who say they spoke with this English Pilot at the Havana where he was prisoner, and they say that he is now brought secretly to Seville in this last fleet, where I will use all diligence for the freeing of him and sending him speedily home." [*Extract, Correspondence, Spain.*]

Nov. 15. From the Pardo.

56. The King of Spain to his Ambassador in England, Don Alonso de Velasco. "Don Alonso de Velasco of my Council, and my Ambassador in England. A carvel having gone by order of the Governor of the Havana in search of a ship which sailed from the port of Carthagena of the Indies with certain artillery which was there taken from a galeon which touched on the coast of Buenos Ayres, and having passed by the coast of Florida in that expedition, and three men of the said carvel, named Diego de Molina, Marco Antonio Perez, and Master Antonio, landing in good faith, certain Englishmen took them, who say that by order of the King of Great Britain they have set foot in the part of that coast which they call Virginia, of which I have determined to advertize you, and to command you (as I do) to express to the said King the just resentment which I feel at the seizure of these men, and that therefore (I expect) he will give order by the briefest way which may present itself, to the effect that without doing them any damage they do give them liberty to return and accomplish the commission which the Governor of the Havana gave them, and you shall inform me immediately of the offices which you shall have done in this matter, and what shall be its result. From the Pardo, on the 15th of Novr. 1611, I the King. Antonio de Archstepin (?)." *Original in Spanish. Literal Translation.* [*Correspondence, Spain.*]

Dec. 13. Madrid.

57. Sir John Digbye to Lord Treasurer Salisbury. "The advertisement I gave your Lordship concerning the Englishman that was brought from Virginia to the Havana is true, and I have spoken with another Englishman that saw him and spake with him there, and the man is himself kept prisoner in one of the galleons at Lisbon. I humbly beseech your Lordship that I may receive directions in what manner I shall behave myself herein, for that I believe this accident of demanding his liberty will set the main question on foot." [*Extract, Correspondence, Spain.*]

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Feb. 2. Madrid.

58. Sir John Digbye to Lord Treasurer Salisbury. Departure of 800 men out of Portugal, and the transporting of 3,200 more, so that the whole number of men to be sent is 4,000, "all which, though I conceive are to be carried into Flanders, yet I am advertized from one that I appointed to be amongst them that divers of the masters of the ships are discontented and that they suspect they shall be forced to a far longer journey. The which, if it be so, I can only suspect some enterprize of theirs against Virginia, the which I do not think likely, but in regard that divers write unto me, though uncertainly, that there is something now in

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hand against it, I omit not to advertize it unto your Lordship." [*Extract, Correspondence, Spain.*] *Similar news in his letter to Sir Dudley Carleton of this date.*

March 12. Westminster. **59.** Grant by Letters Patent to the Treasurer, Company, and Adventurers of Virginia. Recites Letters Patent of 23 May 1609, [*ante No.* 49] granted at the suit of divers adventurers and planters of the first Colony in Virginia. Now, forasmuch as his Majesty understands that without the compass of said two hundred miles, and yet not far distant from said Colony, there are divers islands uninhabited, some discovered by the industry of said Company, which it may import said Colony to plant, in regard whereof they are suitors to his Majesty to grant an enlargement of said patent, as well for an extent of limits as for other matters concerning the better Government of said Company and Colony. His Majesty, tendering the good success of said plantation and Company, &c., grants to said Treasurer, &c., for ever, all the islands within three hundred leagues of the parts granted to said Treasurer, &c., in said Letters Patent, and being within 41 and 30 deg. N.L. with all lands, waters, minerals, commodities, privileges, &c., whatsoever. Provided always that said islands be not possessed by any other Christian Prince or State, or within the bounds of the Northern Colony of Virginia, to enjoy said islands for ever, to be holden of his Majesty, &c. in free and common soccage, yielding the fifth part of gold and silver. And further, his Majesty grants (" that posterity may hereafter know who have adventured, and not been sparing of their purses in such a noble and generous action for the genera. good of their country,") that George, Archbishop of Canterbury Gilbert Earl of Shrewsbury, Mary Countess of Shrewsbury (*here follows a list of earls, countesses, bishops, lords, knights, and others, occupying* 1½ *membranes*) who since said last Letters Patents have joined with the former adventurers of said Company, shall henceforth be free members of the Company, and shall, according to the proportion of their adventure, enjoy all rights, privileges, profits, &c., in as ample manner as any other adventurers nominated in any former Letters Patents. And his Majesty further grants that Philip Earl of Montgomery, William Lord Paget, Sir John Harrington, Sir Willm. Cavendish, Sir John Sammes (*sic*), Sir Samuel Sandys, Sir Thomas Freke, Sir William St. John, Sir Richard Grobham, Sir Thomas Dale, Sir Cavalliero Maycott, Richard Martin, John Bingley, Thomas Watson, and Arthure Ingram, whom said Treasurer and Company have nominated, shall be of his Majesty's Council for said first Colony. And his Majesty grants that said Treasurer, &c., shall, once every week or oftener, hold a Court for ordering said plantation, and that any five of said Council (of which the Treasurer or his deputy to be one), and fifteen at least of the generality, shall be a sufficient Court for dispatching casual matters of less weight touching said plantation, and that for the handling of affairs of great importance, as the manner of government, disposing of said possessions, and establishing of trade, there shall be held upon the last Wednesday save one of Hilary, Easter, Trinity, and Michaelmas terms for ever, a General and Solemn

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Assembly or Court; and the greater number so assembled shall have power to elect persons to be of "Our Council" for said Colony, nominate officers, make laws for the good of said plantation not contrary to the laws of England, and disfranchise from their Company all such as shall refuse or neglect to put in their adventure within six months after same shall be due. And whereas the non-payment of such monies promised in adventure has been found much to have hindered the progress of said plantation, and it seems reasonable that persons neglecting their promise should be compellable to make good the same, his Majesty's pleasure is that in any suits commenced by said Treasurer, &c., against such persons, the Judges both in the Courts of Chancery and Common Law further such suits, so far forth as law and equity will permit. And his Majesty further grants to said Treasurer, Company, &c. that the greater part of them in General Court assembled, may elect into their Company as well aliens (born in any parts in amity with his Majesty) as natural subjects, who shall enjoy all privileges, profits, &c., to the Company belonging, as amply as any other adventurer; that it shall be lawful for them to transport to said Colony all such of his Majesty's subjects, or strangers that will become his Majesty's subjects, as shall willingly accompany them, with shipping, munition, victuals, merchandize, furniture, beasts, and all other things necessary for plantation, defence, and trade, without yielding any custom or duty for seven years; and that said Treasurer or his deputy or any two others of said Council shall have power to minister the oaths of supremacy and allegiance to all who shall pass to said Colony, and to minister such a formal oath as by them shall be devised to all persons employed touching said plantation, for faithful discharge of their service, also to such persons as they shall think meet for examination in any cause concerning said plantation. And whereas his Majesty has been certified that divers lewd persons having received entertainment from said Company or having contracted to be employed in said plantation, have withdrawn or refused to go thither, and that divers persons employed in said plantations have misbehaved themselves by mutinies, &c., or having been sent abroad by the Governor of Virginia for some discovery or other business, have most treacherously returned to England by stealth, or have been sent hither as misdoers, and having been questioned by Council, have by their insolent carriage shown little respect to the authority to which his Majesty has appointed them, and by most vile and slanderous reports, as well of the country of Virginia as of the government, have done as much as in them lay to bring said plantation into contempt, by means whereof not only the adventurers have been exceedingly abused, and a great number of others discouraged from joining in so noble, christian, and worthy an action, but also the utter ruin of the same has been greatly endangered. Now, forasmuch as it appears that these abuses have grown in regard said Council have not power by said former Letters Patent to chastize such offenders, his Majesty for reformation of so enormous abuses grants to said Treasurer, &c., that it shall be lawful for any two of said Council (of which said Treasurer

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or Deputy to be one) to cause to be apprehended every such person as shall misbehave as before mentioned, and upon examination and proof before said Council of such misdemeanors, or upon any insolent carriage to said Council, to bind them over with good security for their good behaviour or remand them back to said Colony to be proceeded against according to the laws in use there. And for the more effectual advancing of said plantation, his Majesty, by the consent of his Privy Council, grants said Treasurer and Company license to publish lotteries, to be held for a whole year, and afterwards they shall have six months warning before his Majesty's pleasure shall be deemed altered, said lotteries to be held within this realm of England, and with such prizes, conditions, &c., as to said Treasurer, &c., shall seem convenient. And it shall be lawful for said Treasurer, &c., to elect receivers and other officers for the governing of said lotteries, and administer oaths to them for their true dealing, and to publish by proclamation said lotteries in all cities, towns, boroughs, thoroughfares, and other places within England. And his Majesty wills all mayors, justices, sheriffs, bailiffs, constables, and other his officers and subjects to be aiding and assisting said lotteries by all lawful means. And his Majesty confirms to said Treasurer, &c., all manner of privileges, &c., granted them in any his Letters Patent, and not in these presents revoked, altered or abridged. 7 *membs.* [*Patent Roll*, 9 *Jas. I., Part* 14.]

June 20. Madrid. **60.** Sir John Digbye to Sir Dudley Carleton. "They are very much displeased with our new discovery of the North-West passage, but more particularly with our Plantation of Virginia, which they stick not now to say, that if his Majesty will not cause it to be recalled, this King will be forced by a strong hand to essay the removal of it; and I hear that Don Pedro de Cunega hath commission to move his Majesty that his subjects may desist from any farther proceeding therein. If he have, I doubt not but he will receive a cold answer, and for their doing anything by the way of hostility, I conceive they will be very slow to give England (who is very apt to lay hold on any occasion) so just a pretence to be doing with them." [*Extract, Correspondence, Spain.*]

Aug. 21. Madrid. **61.** Sir John Digbye to the King. "I have formerly advertized your Majesty of a report come unto Seville that three or four of this King's galleons should be cast away upon the coast of Florida, which went forth with an intent to have attempted somewhat against the English Plantation in Virginia. But though this news be not absolutely contradicted, yet I can learn so small ground for the report thereof that I conceive it to be likelier to be untrue than otherwise." [*Extract, Correspondence, Spain.*]

Sept. 1. Madrid. **62.** Sir John Digbye to the King. Has endeavoured to inform himself of the reasons for the stay of Don Pedro de Cuñega in England being longer than his Majesty expected. When he was sent from thence he had three businesses in which he was instructed to carry himself according to the state he should find them in at his coming thither. The first was concerning the match

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between the Lady Elizabeth, his Majesty's daughter, and the Count Palatine. "His second business was concerning Virginia, in which he was likewise not to make any proposition unto your Majesty, but upon second directions from hence, when he should have learned and advertized what your Majesty's inclination was, and what your answer was like to be, for that in case he should perceive that your Majesty was not likely to give way to that which by this King should be propounded, he should avoid the having of a peremptory negative given unto his Master." The third business was concerning the Treaties of Marriages now in hand for the Prince his Highness, &c. [*Extract, Correspondence, Spain.*]

Sept. 13. Madrid. **63.** Sir John Digbye to the King. "It is here held for certain that this King will not permit our Plantations at Virginia and the Bermudas, in so much that it is here publicly and avowedly spoken in the Court that they will shortly attempt the removing of them, and I have letters from some in the Fleet with Don Luys de Fajardo, who is now at Cales (Cadiz) ready to put to sea, that so soon as he hath conducted home the West Indian Fleet he shall go to the Havana and winter there, and from thence in the beginning of the spring shall attempt Virginia. But thereunto I give not much credit, for that I am informed here from good part that there hath been of late a consultation and almost a resolution taken, that one Don Diego Brochero, now of the Council of War and a great Commander at Sea, shall have the conducting of this enterprise, and that he shall go from Portugal, where this King's navy is commanded to meet under colour and pretence of the King's remaining at Lisbon. But of these things I shall use all the diligence I may to attain unto the truth," &c. [*Extract, Correspondence, Spain.*]

Sept. 22. Madrid. **64.** Sir John Digbye to Sir Dudley Carleton. "There is nothing so generally spoken of in this Court as their intent to remove our Plantation in Virginia, and for mine own part I am of belief that the Spaniards will serve us as they did the Frenchmen in Florida, unless we undertake the business much more thoroughly and roundly than hitherto we have done; but hereof they have had sufficient warning in England." [*Extract, Correspondence, Spain.*]

Nov. 12. Madrid. **65.** Sir John Digbye to the King. I got a view of Don Pedro de Cuñega's despatch. The chief matters were . . . . "That there was no cause to apprehend so much danger in Virginia as they did in Spain, there being only, as he certainly learned, five hundred men, who had of late suffered great extremity and misery, and that the first undertakers were grown so weary of supplying the charge, that they were fain to make a general kind of begging (for so he termed it) by the way of a lottery for the furnishing out of those ships and men which were now sent. So that he judged it not fit to make any kind of mention thereof unto your Majesty, both for that he held it not unlikely that the business might sink of itself, since it was maintained but by these shifts,

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which could last but for a year or two, and likewise for that he was certainly informed that if he should propound the having of the Plantation revoked, it would in no kind be condescended unto." [*Extract, Correspondence, Spain.*]

Jan. 26. Paris. **66.** Sir Thos. Edmondes to the King. "Though I make no doubt but that your Majesty is otherwise sufficiently advertized of that which passeth in Spain, nevertheless I hold it my duty to make known unto your Majesty that many advertisements which I have seen, both out of Italy and from other parts, do report that the intent of the preparations which the King of Spain maketh by sea is certainly to employ the same this Spring for the removing of our Plantation in Virginia." [*Extract, Correspondence, France.*]

Feb. 18. Madrid. **67.** Sir John Digbye to the King. It is true they make ready their fleet at Lisbon . . . The only action which I conceive possible (and indeed something probable) for them to enter into is to essay the removing of the English from their Plantation in Virginia, the which they here generally profess toucheth this King, both in honor, and likewise in prevention of the inconvenience which the English settling there may procure to their West Indies not to permit. And this very day they have clapped up into close prison Clarke, the English Pilot, whom two years since they brought from Virginia, having formerly used him well and permitted him his liberty, only being attended by a keeper. . . . If they attempt anything against Virginia it will be with the West Indian galleons from the Havana, in the Island of Cuba, with the forces of those parts. I do mean presently to send down a couple of fit persons whom I have provided, to enter themselves into this King's service in his navy, who, I hope, will be able to attain in some part to the knowledge of their intents, and to advertise me from time to time of such things as they shall be able to learn. [*Extract, Correspondence, Spain.*]

Feb. 21. Lisbon. **68.** Extract from Letter from Lisbon. Here is sudden commandment given for the preparing thirteen sail of shipping to be ready to set sail by the 15th of March next. First they are to sail unto Cadiz, there to take in soldiers, munition, and victuals, from thence it is divulged amongst the common sort that they are to go unto the Bermudas, there to inhabit. Others say plainly that they go where the English shall pay for it, which is for Virginia, for that is the mark they shoot at, as their own proceedings do manifest; for in their entertainment, they receive of all nations that will offer themselves to go in this service, Almains, Italians, French, and Irish, but neither English, Scottish, nor Dutch will be permitted nor entertained to go in the voyage. To such strangers as will come there shall be given nine months pay. Eight of the ships are carvels of about 100 tons apiece, nimble sailing vessels, fit for transportation but of no defence, neither to give offence to any shipping. The other five are ships of 150 or 200 tons, and are furnished in warlike manner. [*Extract, Correspondence, Spain.*]

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March 5. Madrid.

69. Sir John Digbye to the King. All possible diligence used for making ready the shipping and soldiers, so that by the end of April they intend certainly to put to sea. Those that I employ send me word that they every day grow more to doubt that there will be something attempted against the plantation in Virginia, and they are strengthened in this their belief, for that though they have so great want of men, that they have made public proclamations that whosoever will serve in this voyage shall receive nine months pay beforehand, yet they refuse to admit of English, Scottish, and Hollanders, but not of Irish. But men of good judgment here in Court (and in whom I have reason to have some confidence) assure me that there is no such intent. But, howsoever, it will be requisite that those of Virginia live in a continual expectation of being assailed, for first or last the Spaniards will certainly attempt them, for thereof they make already public profession. [*Extract, Correspondence, Spain.*]

April $\frac{20}{30}$.

70. Advertisements sent from Don Alonso de Velasco, Ambassador in England, with the Council's opinion of them and the King's direction. Three matters of great consideration in the despatches of Don Velasco. . . . The third, for change of the prisoners, it is good to procure, that that may take effect which hath been agreed upon, and that perfect and true information be procured of the estate of Virginia, which, if the Ambassador already have not, he must procure speedily, and accordingly the fitting remedy must be ordained; and in case it do certainly appear to be a matter of consequence, provision must be made to remove the English from thence. The Marquis de Velada agreeth with Don Juan de Idiaques, and holdeth it convenient, that this matter of Virginia be looked unto with much care, for that if it should be so prejudicial for the Indies (as some do say), a remedy may be provided speedily. The Duke of Infantado, the Marquis de Villa Franca, and the Marquis de La Laguna agreeth. The King's opinion was that order should be given in all the particulars according to the opinion of the lords. [*Extract, Correspondence, Spain.*]

April 24. Paris.

71. Sir Thos. Edmondes to the King. Word brought to him that Mons. de Hauterive, a nephew of Mons. de Villeroy's, who is newly arrived out of Spain, is certainly informed that the Fleet which is there preparing for the West Indies, is intended to be employed for the removing of our plantation in Virginia. [*Extract, Correspondence, France.*]

April 28. Paris.

72. Sir Thos. Edmondes to the King. "I have again understood that part of the forces which are prepared in Spain are certainly intended to remove our plantation in Virginia." [*Extract, Correspondence, Spain.*]

May 13. Madrid.

73. Sir John Digbye to the King. They have further the last week had a consultation concerning Virginia, but their resolution is not to stir therein until they shall be better informed of the true

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state thereof. For that here, by the advertisements that they have had out of England, they are yet in a great hope that the business will fall of itself, though Don Pedro de Cunega at his last being in England, moved that the removing of our plantation might be no longer deferred, as your Majesty shall see by the copy of a letter sent from him in September last. *Encloses,*

73. I. Don Pedro de Cunega, Spanish Ambassador in England to the King of Spain. There is come hither a ship from Virginia, and although some principal men and others suppose that the Plantation there doth rather diminish than increase, I have understood by a friend of good credit, that they treat and have a determination to marry some of the people that go thither with the Virginians, and he telleth me that there are forty or fifty persons already married there, and other English intermingled with them, and that the women which were sent over live amongst the Virginians, and are received and used kindly by them, and that they wounded a certain zealous minister of their sect for reprehending it. They have made a lottery, out of which they will raise 20 thousand ducats, and herewith will send away six ships with all the people they can procure. Upon this pretext of their turning infidels it will be an easy matter to remove these people from thence in the beginning, for the not punishing hereof is the cause why they so boldly attempt others, as your Majesty may well perceive; for they have already houses and begin another plantation in Terra Nova, in the parts where the great fishings are, and now it will be to the purpose to punish it, which, if it may be done, they shall perceive that your Majesty will not proceed with them altogether by entreaty, which hath already made them more presumptuous than their own forces can promise them. God preserve your Majesty. *A short abstract of this inclosure is in the first volume of this Calendar.* [*Correspondence, Spain.*]

May 22
Madrid.

74. Sir John Digbye to Sir Dudley Carleton. Concerning our plantation of Virginia (which I have often written unto your Lordship is a great eyesore unto them) they have lately had several consultations about it. Their resolution is that it must be removed, though they have thought it fit for a while to suspend the execution till they get perfect information of the state thereof, for that they are not yet out of hope that the business may fall of itself, since they see it not maintained by the King or State, but only upheld by lotteries and such like uncertain shifts. Our new plantation of the "Vermudos" (Bermudas) prospereth better than that of Virginia; good commodities brought from thence; a ship sent thither last year to attempt the discovery, returned without having done anything, the Captain, &c., brought to Madrid in chains to be proceeded against. [*Extract, Correspondence, Spain.*]

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May 26. Madrid.

75. Sir John Digbye to Sir Thomas Lake. They have lately had here several consultations about our Plantation in Virginia. The resolution is that it must be removed; but they think it fit to suspend the execution of it till they receive perfect information in what state it now is, for that they are in hope that it will fall of itself. They have given precise order to their Ambassador speedily to advertize what he can learn of it, and that he use all means for the restitution of the Spaniards that were left there, and to this end have clapt up Clarke, the English Pilot, into close prison, and I hear they mean to send him to the Gallies, hoping thereby that Clarke's friends to redeem him will labour for the restitution of the other, by whom they hope to discover the true state of Virginia, [*Extract, Correspondence, Spain.*]

June 4. Madrid.

76. Sir John Digbye to the King. "There went from hence the Spanish Ambassador in England, with directions to this effect:— That though it was conceived by the King of Spain that the plantation and fortification of the English in Virginia need not (in the case it now standeth) give much cause of fear, yet to the end that here may be taken the fullest resolutions, he commandeth him to procure a true and certain information of the present estate thereof, and what the intent of your Majesty and the English is in this point, and whether businesses of that nature grow not much colder since the death of the late Prince, and likewise that he inform himself very particularly concerning the 'Vermudos' and give speedy advertisement hither." [*Extract, Correspondence, Spain.*]

July ?

77. Extract from the Secret Instructions of Don Diego Sarmiento de Acuna, sent by the King of Spain as his Ambassador into England. "And it shall be fit for you, having perused those copies (of despatches sent heretofore to Don Pedro de Zuniga, Marques de Flores et Avila), and having informed yourself upon them from the said Marques, and Don Alonso de Velasco, in what estate these matters (the marriages made with France) stand, as also these others specified in the said copies, about the league of the Protestants, the peopling of Virginia, the suits of the English, of the Pirates and of the Consuls, that you prosecute all those matters as if they were here given you in your Instructions, and that you advertize me often of whatsoever shall succeed thereupon." *Translation.* [*Extract, Correspondence, Spain.*]

Aug. 15. Madrid.

78. Sir John Digbye to the King. Desire of this State to maintain peace; they meddle not in slight or uncertain enterprises; if they were fit for war, and that any occasion of important advantage were offered, they would not omit to lay hold of it; "but herein I likewise restrain myself to these parts of the world, for that I know they would have attempted the removing of the English from Virginia, but that they are certainly informed the business will fall of itself; and within these two days I know both the Council of War and of State have set about the overthrowing of our new plantation in the Bermudas." [*Extract, Correspondence, Spain.*]

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Sept. 3. Madrid.

79. Sir John Digbye to the King. "Touching Virginia, the Spanish Ambassador in England hath received letters from Molina, the Spaniard that is there, of the misery and distress in which they live; so that it is determined by this Council not to speak any more in that business, being a thing (they suppose) which will die of itself; only it is ordered that the Spanish Ambassador shall represent unto your Majesty the ill-usage that the Spaniards have had in Virginia, and that one of them is dead with hunger, notwithstanding that the English Pilot which was brought from thence and is here, hath been ever very well used." [*Extract, Correspondence, Spain.*]

Sept. 22. Madrid.

80. Sir John Digbye to the King. Has found the means to come by his (the Conde de Gondomar, the Spanish Ambassador in England) despatch. Here follows "the true estate in which I find the businesses of this King and kingdom." "He advertiseth further, divers things concerning Don Alonso de Velasco's departure, and your Majesty's bounty in presenting him, as likewise of the state of our people in Virginia, and of the course which is held in the new plantation in the Vermudos." *In Cypher deciphered.* [*Extract, Correspondence, Spain.*]

Oct. 11. Paris.

81. Sir Thos. Edmondes to the King. Understands that they are nothing well satisfied here, that the French ships were hindered this year by the English, from the making of any benefit of the whale fishing at Greenland, which discontentment is also further aggravated by another advertisement which is come hither, that the English ships at Virginia took a French ship which was going to make a plantation in those parts, and killed divers of the men, and, as they here say, used greatest cruelty against certain Jesuits which were in the said ship. [*Extract, Correspondence, France.*] *Admiral de Montmorency in a letter to King James complains of these depredations committed by Sam Argoll, Capt. of the Treasurer, see First Volume of this Calendar, p.* 15.

Oct. 13. Madrid.

82. Sir John Digbye to the King. In reference to the despatch of the Spanish Ambassador, "It is appointed, that for the business of Virginia and the Bermudas, his advertisements be made known unto the Council of the Indies, and that the Spanish Ambassador be willed to advertize what he shall further hear of them, and that the Spanish Ambassador particularly labour to get the liberty of Don Diego Molina, the Spaniard that was left in Virginia." [*Extract, Correspondence, Spain.*]

Dec. 8. From my Chamber in King Street.

83. Sir Henry Wotton to Secretary Sir Thos. Lake. "Concerning the complaint of the Town of Rochelle against a certain disturber of their fishing, which is found to be a man of Bristowe (Bristol) haunting that part of the Newfoundlands which they have baptised *Nova Francia.* This seemeth to imply somewhat more than a bare complaint against violence on the sea; the Rochellers indeed being rather jealous of the man's habitation there, and of his seizure on the land, which they interpret a kind of intrusion upon that continent where the French have continued

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possession from immemorial time, as themselves say. So as, the matter requiring some further debatement, my Lord Privy Seal hath propounded it in Council, and hath in the meantime let the French Ambassador know by me that they have a care of that business, and after due information will seek to satisfy him in it." [*Extract, Correspondence, France.*]

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Jan. 2. Paris. **84.** Sir Thos. Edmondes to the King. "I made it appear unto Mons. de Villeroy by many instances, that the interest which the French pretended to have in the discoveries which we had made with great peril and charge (concerning the which he had before spoken to me much out of square) was contrary to the received custom and practice of all nations; wherewith he was so well satisfied, as he said that he would no more dispute that matter with me." [*Extract, Correspondence, France.*]

Oct. $\frac{11}{21}$. Paris. **85.** La Marquise de Guercheville to Secretary Winwood. I have learnt the obligation I am under to you, before having the happiness of knowing you, which makes me doubly thank you, and entreat a continuation of your courtesy for the reparation of the great wrong which has been done me, and for the recovery of the Frenchmen who remain in Virginia. I promise that I shall be infinitely obliged for what shall be returned in so just a restitution and even more will ever be your most obliged and affectionate to serve you. *French. Holograph with two seals and silk. Addressed,* "A Monsieur Weinood." 1 *p.* [*Corresp. France.*]

Dec. 12. Paris. **86.** Sir Thos. Edmondes to Sec. Sir Ralph Winwood. Account of his conference with Mons. de Villeroy and audience of the King and Queen of France, in reference to sundry complaints of his Majesty's subjects against the French. "Whereunto the Queen made me no other answer than that the complaints were so great which she received, of the spoils which were committed upon the French by his Majesty's subjects, as she was forced to make an extraordinary instance for the redress of the same." (*This has reference most probably to the above complaints of Mad. de Guercheville against Captain Argoll.*) *See Admiral de Montmorency's letter to King James I. in the first volume of this Calendar, p.* 15; *see also No.* 88. [*Extract, Correspondence, France.*]

Dec. 30. Paris. **87.** Sir Thos. Edmondes to Sec. Sir Ralph Winwood. Sends herewith copy of the Memorial which he has exhibited to Mons. de Villeroy, of as many, both general and particular, complaints as he could call to remembrance.

87. 1. Memorial of complaints concerning the subjects of the King of Great Britain, which his Majesty's Ambassador presents to their Majesties [of France] and the Lords of the Council, in order that it may please them to give orders to have said complaints redressed and prevented in future. A document in French of 21 pages, some of the complaints dating back 25 years. They include the

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following: In the year 1606 Sir Ferdinando Gorges Governor of Plymouth, and some others, equipped and, put to sea a ship named the Richard, under the command of one named Captain Chaloner, to traffic and obtain a footing (*prendre pied*) upon the coast of Virginia. This ship was taken at sea with all her merchandize and provisions, to the value of 14 or 15,000 livres, by a ship belonging to two merchants of St. Malo, Louis, and Servant Graves (the Captain being Alphonse Camache), and taken to Bordeaux. One named Tucker prosecuted Camache before the Parliament of Bordeaux, but after endeavouring for two years to obtain justice, an arrest (decree) was passed, 20 Feb. 1609, dismissing his suit for not having put in security, though he did so a little while after (*peu après*) it was demanded of him. 21 *pp. French.* [*Correspondence, France.*] *This is at variance with Chalmer and with Burke's History of Virginia, I.*, 85–92, *who say this ship was commanded by Henry Challoner, and was taken by a Spanish fleet and carried into Spain. See also Holmes' American Annals* (*2nd edition*), *I.*, 125.

1614. **88.** Answer to the Complaints presented to the King by the Sieur de Buisseaux, French Ambassador, at the Court of his Majesty. To the first complaint concerning Newfoundland, sets forth the title of England to the fishery there, which is carried on every year with at least 200 vessels and more than 6,000 persons in the English colony, who have always treated the French well, and protected them in their fishing, and allowed them to leave their vessels until they return to fish the next year. That the French do not inhabit any part of Newfoundland, but are much farther away in a place called Canada, which they call New France, therefore the accusation against the English is most unjust, and far from the truth, seeing they have never been near New France neither hindered nor disturbed the French fisheries, nor done them any injury. To the fourth complaint concerning Virginia, Captain Argoll acknowledges that he took the French ship in question within the limits of our colony because she tried by force to intrude there against the privileges granted to said [Virginia] Company, by virtue of his commission under the seal of said Company, derived from the special power granted by his Majesty to said colony under the Great Seal, but that nevertheless said ship had been restored at the request of the French Ambassador. Nevertheless his Majesty wishing the Ambassador to understand his desire to give every possible satisfaction has ordered said Captain Argoll to give an account of his reasons for this arrest whenever the Ambassador shall desire, and that Turner, his Lieutenant, shall do likewise as soon as he is able to return. To the eighth complaint, concerning the Marquise de Guercheville, she has no reason to complain, nor to expect any reparation, seeing that her ship forcibly entered the territory of the said colony to settle and traffic without their permission to the prejudice of treaties, and good

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intelligence between our Kings. *See ante, Nos.* 85, 86. *Extracts, French. Endorsed,* "For the French Am[bassador], Mr. Winwood 1614, Answer to the French Complaints." [*Corresp., France.*]

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March 31. St. Bartholomews.

89. Sec. Sir Raphe Winwood to Sir Dudley Carleton. Sir Thomas Dale having for many years together resided in Virginia as you know, about the service of this kingdom, is now returning into those Provinces to his charge; from whence, altho' he hath been longer absent than he had the license of the States for his Warrant, yet, being a principal man in an employment of such consequence as that was, I assure myself you will labour so effectually for him there that he shall be no way prejudiced thereby. If in any other occasions of his he shall stand in need of your Lordship's favour, I pray you afford it him with much readiness, and give him at all times such countenance and good respect as you shall think fit for a man of his quality and merit; whereby you shall not only engage a well deserving gentleman to your service, but purchase the thanks of many others in this State, who hold themselves much interested in his future well doing and advancement. This license to go to Virginia was procured by myself, at my being in Holland [*see ante, No.* 51] upon a letter from the late Prince Henry. [*Correspondence, Holland.*]

Oct. 18.

90. Sir Thomas Dale to Sir Dudley Carleton. His absence out of those parts (the United Provinces) has made him destitute of acquaintance and friends. It is some six years since it pleased the then Lord Treasurer (Salisbury) to embark him for the plantation in Virginia, who used both his power and Prince Henry's for Dale's leave of the States for six years, which was granted, but his entertainment to be detained till his return. At his departure he married a wife, not expecting his journey to have been so long, and since his coming home has "borrowed six months after my travels for her sake," who hath continued sickly, and now he is afraid to lose her, which is the reason of his so long stay here (in England) after his arrival, "which may pass for current with good and honest husbands, though not with my Lords the States in matter of service." Makes bold to send this letter by the bearer, the writer's brother, and to entreat Carleton's favor and assistance with the States for excuse of his long absence. Is given to understand that his Lieutenant, "who is not the honestest there," doth make means for his Company underhand, alleging that Dale will come no more. His Company much in debt, which his Lieutenant has rather augmented, and gives out that solicitors have leave of the States to arrest Dale at his arrival, "which is strange to me." Entreats him in the interim of the writer's coming (he hopes in 20 days) to make the States acquainted with his case. The King has promised to write concerning his business, to procure his pay. Requests his advice herein, and to take his business into his favorable protection. *Indorsed by Carleton,* "The answer to be sent to his house at Woollage (Woolwich) or at Sir. Thos. Smith's house." 3 *pp.* [*Correspondence, Holland.*]

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Nov. 6. **91.** Sir Thomas Dale to [Sir Dudley Carleton]. Death of Mr. Secretary [Sir Ralph Winwood]. Has, since his death, spoken with his Majesty concerning his own business in those parts (the United Provinces); who hath given order to Mr. Secretary Lake to commend Dale's business to Carleton, but as yet Dale has not his dispatch. Now if it shall please you to give me any advice for any means else from hence, I know my friends are such as I shall procure it to second your Lordship in my behalf. I must confess my acquaintance is but small with your Lordship, and my deserts less, yet if it shall please your Lordship to favour me and my cause, which is just and honest, you shall not only bind a poor gentleman unto you, but noble friends of mine here will give your Lordship thanks. [*Correspondence, Holland.*]

Nov. 11. Theobalds. **92.** King James to Sir Dudley Carleton, Our Ambassador with the States General of the United Provinces. Sir Thomas Dale, sometime servant to the Pince Henry, Our son deceased, having a Company in the Low Countries, was by him commanded to attend the Plantation of Virginia; and that he might be at liberty so to do, at the request of Our said son, the States General gave him leave to be absent, and that notwithstanding his absence he should enjoy fully his pay; and thereof, as he informeth Us, there is an "apostell" extant. Having now left that service he returneth to his charge; and because he is a gentleman of good merit, both in that service of Virginia while he attended it, and before in the service of the United Provinces, We have thought it reasonable to call upon the States for the performance of that promise, which in his favor they made to Our said son, and do therefore require you to deal therein effectually, both with the Prince Maurice and with the States General, and to procure for his satisfaction the arrearages of the time past, and continuance in the said pay and favor with them, as he was before his going to Virginia. Wherein We hope the better of success, because there is so good reason for the ground of Our request, as is a promise made to a person of such quality as was the said Prince. [*Correspondence, Holland.*]

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Feb. 4. The Hague. **93.** Sir Dudley Carleton to Secretary [Sir Thomas Lake?]. I had order lately by express letters from his Majesty to assist Sir Thomas Dale in procuring his allowance for his entertainment during the whole time of his absence in Virginia, as a promise made by the States at the granting of his leave which was obtained by Prince Henry of happy memory; but herein it appears by their Registers the condition was otherwise, the words being these: "bien entendu que durant son absence le cours et payement de son traitement cessera;" yet, in contemplation of his Majesty's recommendation, and of Sir Thomas Dale's good service in Virginia (wherein there is common interest), the States have consented to the payment of his entertainment for the full time of his seven years' absence. [*Extract, Correspondence, Holland.*]

Feb. 12. The Hague. **94.** Sir Dudley Carleton to Lord Southampton. Sir Thomas Dale, by whom Carleton received his Lordship's letters, hath found

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better success and quicker expedition in his business than is ordinary with his Masters in affairs of that nature, especially at this time of division and distraction, when they can agree in nothing but in being close handed; and though good and due regard was had herein of his particular merit, yet he can assure his Lordship he was not a little assisted by those recommendations wherewith he came accompanied. *Draft in Carleton's hand, who has indorsed it,* "To my L[d] Southampton by Sir Thos. Dale, to the like effect to my L[d] Haye and my La. Savile. [*Correspondence, Holland.*]

March 3. The Hague. **95.** Sir Dudley Carleton to Secretary [Sir Thos. Lake ?]. I advertised your Honor by a letter of the 4th Feb., how the States upon his Majesty's recommendation had dealt with Sir Thos. Dale in giving him his full entertainment for the whole time of his seven year's absence in Virginia, amounting to 1,000*l.* sterling; whereof I do not know whether he made due acknowledgment to his Majesty. So it is, that here being come news that he hath left the States' service and is gone with charge towards the East Indies, *sans dire adieu*, it hath a very ill sound here, and there is some danger of cashiering his Company, which for consideration of money he hath transported over to his Lieutenant. The liberality which was used towards him being very extraordinary, and his departure so sudden, even the very day of the receipt of his money, deserves some civil excuse, such a one as your Honor can best devise, and I shall gladly receive from you; his Majesty's name being interested both in his good treatment by the States, and likewise in his ill manner of leaving their service, it being given out that he is employed into the East Indies by his Majesty's commandment. [*Extract, Correspondence, Holland.*]

June 12. **96.** Court Minutes of the East India Company. Letter read from Henry Bacon [to the Governor], lately returned from Sir Walter Raleigh's voyage, stating that Don Diego de Molina, who was prisoner in Virginia, incites the King of Spain to send forces to suppress Virginia, by the hopes of a silver mine there, from which he shows a piece to justify the truth. [*Court Min. Bk., Vol. 4, p.* 177.]

June 13. **97.** Certificate by Sir Richard Wigmore and other justices of Middlesex. That Ambrose Smithe, convicted of a felony on the goods of the Earl of Arundel and reprieved, is of able body to be employed in any service in Virginia, or in the East Indies. [*Dom., Jas. I., Vol.* 97, *No.* 106.]

July 21. **98.** Court Minutes of the East India Company. Suit of Henry Bacon for employment, who had been in a voyage with Sir Walter Raleigh and gave advertisement of some things concerning Virginia. [*Court Min. Bk., Vol. 4, p.* 189.]

Nov. 28. London. **99.** John Pory to Sir Dudley Carleton. No longer again than yesterday the Council of Virginia (my Lord of Southampton, my Lord Rich, my Lord Sheffield, and my Lord Paget being present) did at the instance of Sir George Yeardley, the new elected Governor,

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choose me for their Secretary in Virginia. This Sir George Yeardley hath married my cousin German, and infinitely desires my company. So having done this office for me without my seeking, I entreated him he would also demand what allowance they would give me for my setting forth and what maintenance at my coming thither. At this demand he finds them as dry as Pumystones, which is the cause that I mean not to adventure my carcase in so dangerous a business for nothing. The Governor of himself hath proffered to make my means worth 200*l.* a year at least which I purpose to accept so he will allow me 50*l.* to set me forth, and to-morrow night I am to receive my last answer. But (so my sufficiency were answerable) how happy should I be to be called into your Lordship's domestical service, in case I do not embrace this. [*Dom. Jas. I., Vol.* 103, *No.* 111.]

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Feb. 3. **100.** Fra. Lord Russell to Sir Clement Edmondes. Prays the aid of his favour in reference to one Harry Reade now prisoner in Newgate for a robbery on the highway. Has proposed to Sir George Calvert the scope of his intentions which were well allowed of by the Lord Chancellor, to get a certificate from the Lord Mayor and the Recorder of the offences Reade stood charged with and then to beg a letter from the Privy Council for sending Reade to Virginia. Sir George answered that there was an Order from the Board for that purpose for some offences of that kind and that robbery by the highway was a thing the Lords would be sparing in to grant though not excepted in the order which makes Lord Russell importune Sir Clement's favour therein. 1 *p.* [*Dom. Jas. I., Vol.* 105, *No.* 75.]

Feb. 26. **101.** Court Minutes of the East India Company. Leave to the Virginia Company to sell by the candle 1,000 weight of tobacco in rolls, lately brought from the Somers Islands. [*Court Min. Bk., Vol.* 4, *p.* 304.]

March 1. Jacatra. **102.** Sir Thomas Dale to Sir Thomas Smythe, Governor, and the Committee of the East India Company. A long letter of fourteen pages, describing his narrow escape from drowning; "a cruel bloody fight" with the Dutch, which lasted from eleven till three, and in which 3,000 great shot were fired; and the Company's affairs. Also, that he should be glad to hear how Virginia prospers, and his own business goes forward there. [*East Indies, Original Correspondence, Vol.* 6, *No.* 767.]

March 5. **103.** Court Minutes of the East India Company. Virginia wheat, called maize, much commended for an excellent strong meat, and hearty for men at sea, and more wholesome than beef; the Virginia Company to be desired to procure some for trial by the next shipping. [*Court Min. Bk., Vol.* 4, *p.* 306.]

March 12. **104.** Court Minutes of the East India Company. Alderman Johnson desiring to borrow four mynions for the use of the Virginia Company, acknowledged they owe for four demi-culverins

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which have been long due. If they may have these, both Mr. Governor (Sir Thos. Smythe) and himself will use the best means to procure satisfaction for the old from the Virginia Comp., and undertake for the satisfying of these latter four. Ordered that Mr. Salmon deliver them four mynions, if this Company have any to spare. [*Court Min. Bk., Vol.* 4, *p.* 312.]

July 17. Madrid. **105.** Sir Fras. Cottington to [Sec. Sir Robt. Naunton]. The Spanish Secretary in England has advertised hither that one Capt. North is arming certain ships to go into the West Indies of which he says he hath complained without any remedy; his despatches are gone down to the King to Lisbon and is sure he shall hear of it from thence, in the meantime has seen copy of his despatch to the Conde de Gondomar. *See* 1*st Vol. of this Calendar, p.* 21. [*Extract, Corresp., Spain.*]

Aug. 6. **106.** Court Minutes of the East India Company. Captain Tucker and Captain Argoll, who have been employed to the Somers Islands and Virginia, were both recommended to be considered of [for employment by this Company] when convenient time shall be. [*Court Min. Bk., Vol.* 4, *p.* 392.]

Sept. 18. Madrid. **107.** Sir Fras. Cottington to [Sec. Naunton]. Capt. North's design being only as your honour tells me, I make no doubt but that I shall be able to give them satisfaction here, and have done it already to some of these great Ministers with whom I have been since the receipt of your letter. [*Extract, Corresp., Spain.*]

Dec. 30. Westminster. **108.** Proclamation to restrain the planting of tobacco in England and Wales. "It is not unknown what dislike we have ever had of the use of tobacco, as tending to a general and new corruption both of men's bodies and manners; nevertheless it is of the two more tolerable that the same should be imported amongst many other vanities and superfluities which come from beyond seas than permitted to be planted here within this realm, to abuse and misemploy the soil of this fruitful kingdom." Reasons for making the prohibition general; English tobacco is more crude, poisonous, and dangerous for the bodies and healths of our subjects than what comes from hotter climates; the colonies of Virginia and the Somers Islands are proper and natural climates for that plant, and receive much comfort by the importation of it into this kingdom, and it tends to the increase of our Customs. *Printed.* 2 *pp.* [*Proclamations, Jas. I., No.* 74.]

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Jan. 29. The Hague. **109.** Sir Dudley Carleton to John Chamberlain. Prays him to show Sir Dudley Digges the writer's Virginia Papers, and then return them to Carleton, letting him know when there is a passage thither, for he has compassion of poor Porie being hunger-starved for news. [*Extract, Correspondence, Holland.*]

Jan. 31. **110.** Court Minutes of the East India Company. Thomas Jones, a servant of Lord Warwick, arrested by the Company for turning away their men, being now employed to go to Virginia with cattle

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by his Lordship, who desires his release, order is given to set him at liberty, Lord Warwick engaging to answer for what shall be objected against him. [*Court Minute Bk., Vol.* 4, *p.* 506.]

May 13. Whitehall. **111.** Sec. Sir Robt. Naunton to Sir Dudley Carleton. Capt. Roger North, one of my Lord North's brothers, that was out with Sir Walter Raghley (*sic*) having derived a Commission from a Patent which his Majesty had granted for the erecting of a Company incorporated to make a plantation by the river of Amazons in America, and being restrained by his Majesty's command upon a complaint of the Count Gondomar, pretending his Master to have as good right to that tract as he hath to Madrid or Toledo, is suddenly stole away and gone with some four or five sail, which hath much offended his Majesty, and we are all busied to revoke him and stay all supplies that were to follow him. It is his Majesty's command that if he shall give out to any of the Merchants or Seamen of that State that he is gone with his Majesty's leave or Commission, to resolve them there is no such matter, but that his Majesty doth utterly disavow this course, and will chastise his contempt when he shall be taken. Orders to publish a proclamation to declare him rebel, and charge all his Majesty's subjects who shall meet him to bring him home by strong hand. *The Proclamation, which is dated two days after this letter, is abstracted in the first volume of this Calendar, p.* 23. [*Corresp., Holland.*]

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May 30. June 9. Gravenhage. [Hague.] **112.** "Translation of the States Placart touching the West Indies" [*so endorsed by Carleton*]. The States General having settled a Company of Negotiation and Traffic for the West Indies, Africa, and other places hereunder described, by Letters Patent, it is forbidden to any within the term of 24 years after the first July next ensuing to sell, negotiate, or drive any manner of trade upon the coasts and countries of Africa from Tropico Cancri unto the Cape de Bona Esperance, nor upon the countries of America, beginning at the south end of Terra Nova, through the Straits of Magelana, Le Mayre, or any other straits and passages thereabouts as far as the Strait of An Jan, as well upon the North Sea as the South Sea, nor upon any island either upon the inside or the other, or those situated between both; as also upon the Australis and Southern Countries, &c., under the penalties described, &c. 2 *pp.* [*Holland Correspondence.*]

June 10. Hague. **113.** Sir Dudley Carleton to Marquis of Buckingham. The project of a West India Comp. having been proposed to the States of Guelderland for their ratification, who have the leading voice in the Assembly of the States General and were ever less forward in that business, hath thus far their allowance that they will concur therein with the rest of the Provinces, but understands withal they have given their Deputies secret charge not to give way thereunto in case they find it prejudicial to the truce, which makes it evident that the project of the Company, though never so far advanced, will stand or fall according to the proceeding in the truce. [*Extract, Corresp. Holland.*]

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July 19. The Hague.

114. Sir Dudley Carleton to Sec. Sir George Calvert. Here hath been with me of late a certain Walloon, an inhabitant of Leyden, in the name of divers families, men of all trades and occupations, who desire to go into Virginia and there to live in the same condition as others of his Majesty's subjects, but in a Town or Incorporation by themselves; which being a matter of some consideration, I required of him his demands in writing, with the signature of such as were to bear part therein, both which I send your Honor herewith; and however the demands are extravagant in some points, yet, if his Majesty like of their going thither, they may be made more capable of the nature of the plantation; to which purpose they will send one (upon the first word they shall have from me of his Majesty's pleasure) expressly to treat with our Company in England. [*Extract, Correspondence, Holland.*] *Encloses,*

114. I. Supplication of certain Walloons and French who are desirous to go into Virginia, addressed to Lord Ambassador Carleton. That his Majesty will permit fifty or sixty families, as well Walloons as French, all of the reformed religion, to settle in Virginia, and protect them and maintain them in their religion. As said families would consist of nearly 300, they wish to take a quantity of cattle, as well for husbandry as for their support, and ask his Majesty to accommodate them with one ship, supplied with cannon and other arms. That they may select a spot fit for their settlement from the places not yet cultivated, erect a town for their security, with fortifications, and elect a Governor and Magistrates. That his Majesty furnish them with cannon and ammunition, and grant them, in case of necessity, the right to make powder, bullets, &c. That his Majesty grant them a territory of eight English miles all round, *i.e.*, sixteen miles in diameter, to be held from his Majesty, with reservation of inferior seignorial rights, privilege of exclusive hunting and fishing, &c. That my Lord Ambassador would expedite said privileges in due form as soon as possible, that they may be ready to embark by March next, the convenient season. *French, signed by Jesse de Forest. 3 pp.* [*Corresp., Holland.*] *Translation into English is printed in "Documents relating to the History of New York," Vol. 3, pp. 9, 10.*

114. II. Promise of certain Walloons and French to go and inhabit Virginia. *The signatures and calling of each are appended in the form of a round robin. Colonial Corresp., Vol. 1, No. 54 a. Abstracted in the first Vol. of this Calendar, pp. 498, 499.*

July 19.

115. Sir Dudley Carleton to Sir Dudley Digges. Here are in these countries sixty families and upwards, men of all trades and conditions, Walloons and French, all of the Reformed Religion, who desire to go into Virginia, and to this purpose have employed one unto me with their demands and signatures, which I now send into

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England to Mr. Secretary Calvert, to acquaint his Majesty therewith; and if his Majesty like thereof, these men will send one expressly into England to treat with our Virginia Company, to which they may surely be of singular use, if some equal conditions may be found out for their transport thither. [*Extract, Correspondence, Holland.*]

Aug. 11. St. Martin's Lane. **116.** Sec. Sir George Calvert to Sir Dudley Carleton. Has moved his Majesty concerning the overture made by the Walloons for planting in Virginia, who was pleased to refer the proposition unto the Council of Virginia; and from them he has this answer which he sends to Carleton, subscribed by the Deputy of the Company, which, if he thinks fit, he may show to them, and, as they like the answer, they may resolve to proceed or desist. [*Extract, Correspondence, Holland.*] *Encloses,*

116. I. Answer of the Virginia Company to the request of the Walloons and France to plant in Virginia, 1621, Aug. 11. [*Colonial Corresp., Vol.* I., *No.* 55. *Abstracted in the first Volume of this Calendar, p.* 26.]

Nov. 2. **117.** Court Minutes of the East India Company. Mr. Lanman acquainted the Court that there is a sum of money given, to the value of 70*l.*, part by some of the Company's servants deceased in the Indies, and part out of the wages of some that are living, towards the erecting of a school in Virginia, and moved to know their pleasures whether the same shall be paid or not. The Court showed themselves ready to forward so pious a work, and therefore ordered that it should be paid and a discharge taken from the Company under their seal. But withal it was referred to consideration, whether this might not be an apt occasion to call for four culverins formerly borrowed of them by those of the Virginia Company, whereof hitherto they have made no restitution. [*Court Minute Bk., Vol.* 5, *p.* 189.]

Nov. 16. **118.** Court Minutes of the East India Company. Mr. Lanman presented unto the Court a receipt dated 15 Nov. 1621, under the seal of the Virginia Company of 70*l.* 8*s.* 6*d.* of money freely given by the company of the Royal James for the erecting a school in Virginia. [*Court Minute Bk., Vol.* 5, *p.* 210.]

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Feb. 7. St. Martin's Lane. **119.** Sec. Sir George Calvert to Sir Dudley Carleton. In the conclusion of your last letter, you write unto me that you will treat with the States concerning the new plantation of the Hollanders in Virginia, as soon as you can take information of the state of the business, with which you would have been glad if the Lords of the Council had been pleased to accompany their commandments. I do not know what it means, for from myself I do not remember you had any direction to treat with the States about such a plantation. Only I do well call to mind that there were certain Walloons that offered themselves, and to carry with them threescore families, so as they might have a portion allotted unto them in that country to build a town upon, with privileges, &c., which

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offer you sent unto me, and I acquainting his Majesty with it, he was pleased to refer it unto the consideration of the Company of Virginia here, to whom he had formerly given all power by his Letters Patent, to admit or exclude whom they pleased in that plantation, and thereupon the company were contented to receive them upon certain conditions, which I sent unto you to impart unto them. Since that time, I have heard nothing of it, nor meddled in it. If your Lordship have had any further order to treat with the States about it, I would be very glad to understand it by your next letter. [*Extract, Correspondence, Holland.*] *Printed in New York Documents, Vol.* 13, *p.* 10.]

Feb.? **120.** Request of the Spanish Ambassador. He acknowledges the speedy justice done, with thanks to the Bermuda Company for the goods delivered, being parcel of the lading of the Spanish wreck on that Island altho' they only consisted of 5 cwt. of perished tobacco and 30 lbs. of indigo, whereas the whole lading was 5,000 Indian hides, 1,200 quintals of Brazil wood, 6,000 lbs. of indigo, 30,000 lbs. of tobacco, 5,000 lbs. of sarsaparilla, and gold and silver to the value of 5,000*l.*, besides 12 pieces of iron ordnance, &c., all of which his Lordship has been told has been recovered. The Ambassador's wish that a man of his own appointment may pass thither to receive said goods and lade same for England; and order of the Privy Council of 11 July last to appoint some meet person themselves to go over and take charge of that business, yet the Ambassador hath heard nothing since, but finding that two ships are on their departure thither, is well assured their Lordships have accordingly appointed said person, and desires to know his name for the information of the King his Master. 1 *p.* [*Correspond., Spain.*]

March 9. The Hague. **121.** Sir. Dudley Carleton to Sec. Sir George Calvert. As yet I have no answer to the complaint I made by order from my Lords of the Council in her Majesty's name, touching the new plantation of the Hollanders in the north of Virginia, of which I gave their Lordships an account by letters I sent your Honor with my last despatch, but I find they have the business in hand before the States of Holland which are now assembled. [*Extract, Correspondence, Holland.*]

Sept. 7. The Hague. **122.** Sir Dudley Carleton to Sec. Sir George Calvert. There are three of Count Mansfeld's eldest Captains dead there [at the Camp of Skenckschaus, to the east of Nimeguen] in the space of three days, two of horse, Philler and Ents, both men of account, who died suddenly in one night, and one of his foot, Sir Thomas Gates, an ancient honest gentleman of our nation. [*Extract, Correspondence, Holland.*]

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March 29. **123.** His Majesty's Council for Virginia to Sir Dudley Carleton. Forasmuch as Richard Norwood who presents this letter hath approved himself to be a man skilful as well in setting out the

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forms of towns and fortifications as also in framing of sundry useful and necessary engines, they have therefore thought fit and the rather for his faithful and able service to the Virginia Company heretofore, to employ him as an engineer in that Plantation. Nevertheless, knowing the Netherlands to afford store of ingenious inventions of that kind, they have determined before his going that he shall spend some few weeks in those parts thereby to improve that quality of his for the better performance of the service he hath undertaken. Entreat Carleton to further him with passports and letters of favour for his more easy passage and more free access to view such works as may serve for his instruction. *Signed by* Earl of Pembroke, Ro. Earl of Warwick, W. Lord Cavendysshe, Sir E. Sackeville, Sir Will. Paget, Sir Edwin Sandys, Lord Brooke, and Sir Na. Riche. [*Holland Correspondence.*]

Dec. 14. Batavia. **124.** President Brockedon and the Council of Batavia to the East India Company. John Ferrar by his letter requested our late President [Richard Fursland] to further a collection for a free school in Virginia, whereupon to further so religious a work, a voluntary collection was made, both on shore and aboard the ships, which is entered in the Purser's accounts, the particulars sent herewith (*missing*). [*O*[*riginal*] *C*[*orrespondence*], *East Indies, Vol.* 10, *No.* 1,130.]

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March 10. **125.** Court Minutes of the East India Company. The Court was moved for payment of 20*l.* pretended to be given by the Company of the Coaster towards building a school in Virginia, but considering they had no warrant and only a letter from Randall Jesson, the master of that ship, with catalogue of the names and proportions of each man's gift, therefore the Court conceived they could not safely pay it. [*Court Book, Vol.* 6, *p.* 452.]

June $\frac{17}{27}$. Middleboro'. **126.** P. Courteen to John Harrison. About the sale of Virginia tobacco, which is at as low a stand as ever was, and like to come lower, for passengers and mariners will sell at any rate to get money. Desires him to procure patent upon some of the company's name, John Powel to have leave to sail and bring victuals into the plantation of Virginia, which would be to the company's profit, and not to the distaste or hindrance of any. Begs it may be sent with all speed, and the cost he will see paid. *With Mem.*, answered 26 June, that the Virginia company was moved but could not prevail, in regard they are afraid he should go to the West Indies, &c. [*Corresp., Holland.*]

June 19. London. **127.** John Chamberlain to Sir Dudley Carleton. The Lady Wiat, daughter (as I take it) to Sir Samuel Sandes, is returned from Virginia great with child, and Mas Porie in her company. [*Extract, Domestic, Jas.* 1*st, Vol.* 168, *No.* 8.] *John Pory was sent to Virginia with three Orders in Council concerning the govern-*

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ment of Virginia, in the capacity of the King's Commissioner, in Oct. 1623, *and returned in June* 1624. *In an Order in Council of* 18 *July* 1624 *he is called Thomas Pory.* [*Col. Ent. Bk., Vol.* 79, *p.* 277.] *Sir Francis Wyatt had the King's license, on* 15 *Sept.* 1624, *to return to England on the decease of his father, but he did not leave Virginia until May* 1626.

June 25. Greenwich. **129.** Sir Francis Nethersole to Sir Dudley Carleton. The Virginia Company is like to be dissolved, and the King to take the business into his own hands; and the East India is so discouraged with the last outrage [at Amboyna] committed upon their factors, that they speak of giving over that trade also, which causeth the Hollanders to be very ill spoken of, even by their friends. [*Extract, Dom. Jas.* 1*st, Vol.* 168, *No.* 40.]

July $\frac{4}{14}$. Middleboro'. **130.** Sir Peter Courteen to John Harris. About the sale of Virginia tobacco. Thanks him for his pains taken in the Virginia business. Tobacco of Virginia will yield now no price, the markets are overlaid, and till winter (it) is not consumed. *With Mem.*, 10 July 1624, stilo antiquo, "I writt to Sir Peter to remit the money to me here in safety." [*Correspond., Holland.*]

July 15. Westminster. **131.** Letters Patent to Henry Viscount Mandeville Lord President of the Council, Wm. Lord Paget, Anthony Lord Chichester, Sir Thos. Edmondes, Sir John Suckling, Sir Geo. Calvert, Sir Edward Conway, Sir Richard Weston, Sir Julius Cæsar, Sir Humphrey May, Sir Saville Hickes, Sir Thomas Smith, Sir Henry Mildmay, Sir Thomas Coventry, Sir Robt. Heath, Sir Ferdinando Gorges, Sir Robt. Killigrew, Sir Chas. Montague, Sir Philip Carie, Sir Francis Goston, Sir Thos. Wroth, Sir John Wolstenholme, Sir Nath. Rich, Sir Samuel Argoll, Sir Hump. Handford, Matthew Sutcliff, Dean of Exeter, Francis White, Dean of Carlisle, Thos. Fanshaw, Aldermen Robt. Johnson, Jas. Campbell, and Raphe Freeman, Morris Abbott, Nath. Butler, Geo. Wilmore, Wm. Hackwell, John Mildmay, Philip Germayne, Edward Johnson, Thos. Gibbes, Sam. Wrote, John Porey, Michael Hawes, Edward Palavacino, Robt. Bateman, Martin Bond, Thos. Styles, Nich. Leate, Robt. Bell, Abrah. Cartwright, Rich. Edwardes, John Dyke, Anthony Abdy, Wm. Palmer, Edward Ditchfield, George Mole, and Richard Morer. Whereas at the suit of divers of his Majesty's subjects intending to deduce a Colony and make plantation in Virginia, and other territories in America, the King did, by his Letters Patent in the fourth year of his reign [10 April 1606], grant to divers knights, gentlemen, and others, that they should divide themselves into two Colonies, called the first and second Colonies; in which Letters Patent his Majesty declared that he, his heirs and successors, would from time to time ordain such further laws for the rule of the same. And did, by several privy seal letters, give such orders for directing said first Colony, and afterwards, upon petition of divers adventurers and planters of the same, did by his Letters Patents in the 17th year [7*th year, i.e.*,

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23 *May* 1609] of his reign incorporate divers noblemen, knights, gentlemen, and others, by the name of the Treasurer and Company of Adventurers and Planters of the City of London, for the first Colony in Virginia, granting them divers powers and liberties; and afterwards, by Letters Patent in the 9th year of his Majesty's reign [12 March 1612], did further grant to said Treasurer and Company divers other Islands within the limits in the said Letters Patent expressed, with other powers. And whereas his Majesty, having still a careful eye to the furthering of said plantations, and finding the courses taken for the settling thereof had not taken that good effect which his Majesty intended, did, by Commission lately granted to certain persons of quality and trust, cause the state of said country of Virginia to be examined, and how the great sums of money collected for the good thereof had been expended. And whereas his Majesty's Commissioners, after much labour, certified that the people sent to said country were most of them, by God's visitation, sickness, famine, and massacres by the native savages, dead, and those living, in miserable and lamentable necessity and want; but the country appeared to be fruitful and healthful, and that, if industry were used, it would produce many staple and good commodities, tho' as yet the sixteen years' government now past had yielded few or none. And this neglect, they conceived, must fall on the Governors and Company here, and that said plantations were of great importance and would, as they hoped, remain a lasting monument of his Majesty's happy government if the same were prosecuted to those ends for which they were first undertaken; and his Majesty's instructions for the direction of affairs there by thirteen Councillors in Virginia and as many here, all nominated by his Majesty, had been pursued and not altered into so popular a course; and much better effects had been produced and much contention and confusion avoided. His Majesty, in consideration of the premises, did, by advice of his Privy Council, resolve, by altering the Charters of said Company, to settle such a course as might best secure the safety of his people there, and cause said plantation to flourish, and yet with preservation of the interest of every planter or adventurer, so far forth as they shall not prejudice the public plantations. But because said Treasurer and Company did not submit their Charters to be reformed, his Majesty's proceedings therein were stayed, until upon a Quo Warranto the said Charters are avoided, his Majesty being resolved to proceed in the course he ever intended by a new Charter. But because the points thereof may be many, and require deliberation, and yet the least delay may prove perilous to said plantation, his Majesty, reposing assured confidence in the circumspection of those above named, appoints them his Commissioners, with power to any six, whereof the Lord President, Lord Chichester, Sir Thomas Edmondes, Sir John Suckling, Sir George Calvert, Sir Edward Conway, Sir Richard Weston, or Sir Julius Cæsar, to be one, to take into consideration the state of said Colony and Plantation, as well for the safety of the people, strength of the place, and government there, as for the managing of the business here in England, to settle the same by such orders, as they shall

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find most fit, and gives them power to execute authorities, privileges, &c., mentioned in said Letters Patent, and to take into their hands goods and money in the hands of any persons for the public use of said Colony, or of said pretended Governor and Company; also to give orders for sending of supplies to said Colony, out of proceeds of said goods and money, and to confer with the adventurers or planters for the advancement of said Plantation, and appoint Committees for the preparation of affairs; also to set down such matters as they think most necessary for settling the Government of said Colony, and concerning the planters, adventurers, and inhabitants thereof, and of the trade, and all other things whatsoever, requisite for the maintenance, increase, and continuance of said Colony, necessary to be inserted in the new Charter, declaring that in case of any question which requires aid from his Majesty, he and his Privy Council will give such directions as shall be most necessary. Also that if any be hereafter willing to raise any joint stock to be sent to said Colony, every such adventurer to have a free voice in the ordering and disposing of the same. Power also given to take into their custody the seals of the Treasurer, Company, and Council of Virginia, and to keep and peruse all Charters, Patents, Grants, and Instructions, heretofore given to said Treasurer and Company and others, concerning said Colony and all books, orders, letters, and other writings in whose hands soever the same be; requiring all persons to deliver up same to said Commissioners for their better information "in "this work of so deep and great information; willing and re- "quiring you to be diligent and attendant at the execution of the "same." This Commission to continue in force until his Majesty, by writing under his Signet or Privy Seal, signify his pleasure to the contrary. [*Patent Roll*, 22 *Jac. I., Part I., No.* 4.]

July 30. **132.** Court Minutes of the East India Company. The Court was moved to be mindful at the coming home of ships to get something out of men's wages by way of a voluntary charity toward the erecting a school in Virginia. But they desired that the money so gathered may be deposited with the Company until that Plantation be so settled as there may be use of a school there. In the meantime it was thought fit that as they gather of those that will give when they return, so a course may be taken that those that die abroad in the Company's service may be also moved to the like contribution. [*Court Book, Vol. VII., p.* 48.]

Aug. 3. **133.** Court Minutes of the East India Company. The motion put forward at a former Court (*see preceding abstract*) for collecting from seafaring men in the Company's service voluntary contributions towards a school to be erected in Virginia was reconsidered, and it was thought that if such a collection were made towards a hospital to be erected for the aged and impotent in the Company's service it would be both a benefit and a grace to the Company, and if anything can be collected from men that die abroad, the same to be reserved for Virginia. [*Court Book, Vol. VII., p.* 50.]

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Aug. 26. **134.** The King's Commission to Sir Francis Wyatt and others, to be Governor and Council of Virginia. The substance of his Majesty's Letters Patent of the 4th (10 April 1606), 7th (23 May 1609), and 9th (12 March 1612) years are recited; the examination of the State of Virginia by Commissioners, who certified that most of the people, by sickness, famine, and massacres by the savages, were dead, though the country appeared fruitful and healthful, so that the neglect the Commissioners conceived must fall on the Governors and Company here. His Majesty's resolve to alter the Charters of the Company as to the point of government, and that because the Treasurer and Company did not submit their Charters to be reformed, said Charters were upon a Quo Warranto avoided; and also the appointment, by Commission dated July 15, 1624, of Henry Viscount Mandeville, Lord President of the Council, and others, for managing the affairs of said Colony in England. And said Commissioners having advised to appoint persons residing in Virginia for the ordering of affairs there, his Majesty, by these presents, nominates Sir Francis Wyatt Governor, and Francis West, Sir George Yeardley, George Sandys, Roger Smyth, Raph Hamor, John Martin, John Harvey, Samuel Matthewes, Abraham Percey, Isaac Madison, and William Clayborne, Council for said Colony, with authority to govern and punish, according to instructions heretofore given, or that shall hereafter be given by his Majesty or his Commissioners. 3¼ *membs.* [*Patent Roll*, 22 *Jac. I., Pt.* 17, *No.* 2.]

Oct. 22. **135.** Court Minutes of the East India Company. Sir John Wolstenholme acquainted the Court that, by an Order of the Council of Virginia, he was authorized to demand payment of the moneys gathered out of the benevolence of this Company's servants returned out of the Indies towards the erecting of a school in Virginia. The Court ordered that, upon a good and sufficient discharge in law being given, the money shall be forthwith paid. [*Court Book, Vol. VII.*, 170.]

Dec. 13. **136.** Court Minutes of the East India Company. Mr. Copland, a minister returned out of the Indies, doth labour to draw a contribution from thence for the erecting a school in Virginia, which contribution the Company thinks will be more proper to be for the relief of their own, or for building a hospital for such as are hurt or maimed in their service. Notwithstanding if any have a mind to contribute to such a school they will not hinder it. Ordered that it be inserted in the Commissions to the Commanders by sea, and written to the President in the Indies what the Company intends concerning such a contribution, and to what end. [*Court Book, VII., p.* 259.]

Dec. 26. Sherborne. **137.** Captain Christopher Levett to Sir John Coke. Asks employment in anything he is capable of to bring glory to God, His name, and some good to this Church and Commonwealth. Friends advised him to go to New England. Beseeches he will help him forward with that or some other employment. Could conduct a

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ship from any place in the world that is yet discovered into England. Protests it is even a death to him to live idle. [*Coke MSS., Hist. MSS. Commis., XIIth Report, App. I., p.* 178.]

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March 15. **138.** Geo. Lord Baltimore to Sir John Coke, Commissioner for the Navy. Intends shortly, God willing, a journey for Newfoundland, to visit a plantation he began there some few years since. Hired the Jonathan, now in the river, for transportation of himself and such plants as he carries with him. Understands she is stayed for the King, to whom it is good reason all his occasions should give place, but is by that means utterly disappointed, and Sir John should do him a favour to clear her and her mariners, and also the Peter Bonadventure, for which he contracted for carrying over cattle. Whatever favour Sir John shows therein my Lord Duke will not be displeased with it. [*Coke MSS., Hist. MSS. Commis., XII. Report, App. I., p.* 187.]

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Aug. 21. **139.** Note of papers to be signed by the King. Amongst them is a warrant to Sir Francis Wyatt, late Governor in Virginia, for liberty to import 10,000 weight of tobacco, custom free. [*Extract, Dom. Chas. I., Vol.* 34, *No.* 15.]

Nov. 29. Dartmouth. **140.** Capt. Chris. Levett to Sec. Sir John Coke. It hath pleased God to deny a blessing to the labours of us all that hath been employed in his Majesty's service at sea. Sees almost all men seek more their own ends than God's glory or their Sovereign's honour. There is no man knows better than himself what benefit would accrue unto this kingdom by New England if it were well planted and fortified, which makes him so desirous to tread out a path that all men may follow. Is now in a fair way to it, only wants a little help, the particulars he has mentioned in a petition to his Majesty. Flies unto his Honor as his only mediator. If his suit shall prove unseasonable, beseeches he will put him into a good ship. [*Coke MSS., Hist. MSS. Commis., XII. Report, App. I., p.* 287.]

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Sept. 10. Sherborne. **141.** Capt. Chris. Levett to Sec. Sir John Coke. Sends a letter from a gent., a servant of Levett's in New England. In his opinion it were great pity his Majesty should lose such a country, but a thousand times more pity that his enemy should enjoy it. If he should, can assure him he would be as well fitted for building of ships as any Prince in the world, and not the worst provided for victualling of his ships. Knows as well how to make that country good against an enemy as any subject hath at no charge at all in comparison. [*Coke MSS., Hist. MSS. Commis., XII. Report, App. I., p.* 321.]

Nov. 17. Sherborne. **142.** Capt. Chris. Levett to Sec. Sir John Coke. As to protection to fishing in New England. Asks for a Commission to take four of those ships now in the King's service, and to man them with 300 men. [*Coke MSS., Hist. MSS. Commis., XII. Report, App. I., p.* 331.]

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143. A relation of the burthen of part of a fleet of about eighty ships which in May last went out of the harbour of St. Malo for Newfoundland, the most part of which are of good burthen and great force, viz., from 380 to 140 tons, carrying 20 pieces of ordnance or more, and few less than ten or twelve pieces, and of as great a force as any ships trading that way, most of which had not been sent this year fishing had they not been fearful that the King would have arrested them for his service against Rochelle. Other ships at St. Malo, their trade to Spain and most of the chief towns in France. *Conway Papers*, 1 *p.* [*Col. Papers, Vol.* 32, *No.* 2.]

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Jan. 16. **144.** Geo. Lord Baltimore to Sec. Sir John Coke. Mr. Levett seeks a commission for New England. The Lords of the Council desiring to know whether this will encroach on Lord Baltimore's plantation, are informed that it does not concern him at all, it is far remote from Newfoundland, which is a nearer part of America by some hundreds of leagues. [*Coke MSS., Hist. MSS. Commis., XII. Report, App. I., p.* 337.]

March 5. **145.** Sir Francis Coke to Sec. Sir John Coke. Understands he has been already moved in the behalf of Sir John Zouch to be Governor of Virginia. He is a gentleman well deserving a right good place, and hath bestowed much time and study in things belonging to military discipline, and hath had some practise, having had a company in the Low Countries. *Extract.* [*Coke MSS., Hist. MSS. Commis., XII. Report, App. I., p.* 340.]

May 13. Southampton. **146.** John Ellzey to Edward Nicholas. The Fortune has taken an Angola man with many negroes, which the Captain bartered in Virginia for tobacco, which has come home in a ship called the Plantation. *Extract.* [*Dom. Chas. I., Vol.* 103, *No.* 85.]

May 27. Southampton. **147.** John Ellzey to Edward Nicholas. Further information respecting the imported tobacco, referred to in previous abstract, the produce of certain negroes sold in Virginia. [*Dom. Chas. I., Vol.* 105, *No.* 35.]

148. "The state of the business of Canada, or New France." Patent granted by the French King in 1603 to Mons. de Monts and his partners, their voyages, discoveries, plantations, and trade. Letters of marque obtained by Captain Kerck, who sailed from England in March and arrived in the Gulf of Canada in May 1627, when he took several ships, and ruined all their plantations, then went up the river and possessed himself of Tadousac and Quebec, but resolved not to assault the fort, and set up the King of England's arms a little below Tadousac, having taken away the French arms. Remained till July following, when the French fleet arrived, and after seven or eight hours fight yielded. He took in all fourteen ships and 900 prisoners, the greater part he sent into their own country, brought home six of the best ships and sunk the rest, having no men to man them. Now to bring their

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work to perfection there must be a strong fleet sent out early next year to take the Fort of Quebec before it be relieved, and so being masters at sea this next summer, the whole river is conquered, the trade with the savages assured, and all the profits of fishing at our command. The charge will amount to 20,000*l.* at least, and the consequences being of great weight deserve the serious consideration of the State. [*Coke MSS., Hist. MSS. Commission, Report XII., App I., pp.* 374–376.]

Aug. 9. **149.** Petition of Edward Lord Newburgh and his partners to the King. An accommodation propounded by the Lord Keeper and Lord Chancellor of Scotland about Canada is yielded unto by petitioner. Petitioner and partners pretend not to encroach upon Sir Wm. Alexander's patent of New Scotland, yet are willing to part with the greatest part of the territory within their own discovery, and to limitation of their trade for a term of years, and in their patent to yield a proportionable acknowledgment of interest to Sir Wm. Alexander. The time is pressing for sending out their fleet to reduce those countries which petitioners are ready to undertake with the charge of 30,000*l.*; a week's delay may hazard the voyage. Pray that an absolute and binding determination of this business be referred to persons to be selected. *Annexed,*

149. I. Propositions of accommodation for the settling of the trade and plantation in Canada or New France. After specifying the terms of accommodation, it is propounded to divide into sixteen parts what remains from Sir Wm. Alexander's plantation of Acadia and the country and coasts within the gulf of Canada, on both sides of the river, within ten leagues of Tadousac, more than half of that planted by the French, Sir W. Alexander to have two parts, the Earl of Newburgh two parts, and the rest to be shared amongst the merchants, pilots, and masters that have thus far advanced the works. [*Coke MSS., Hist. MSS. Commissn., Report XII., App. I., pp.* 376, 377.]

Aug. 9. **150.** Attorney General Heath to Secretary Lord Dorchester. Waiting yesterday on his Majesty he left for the Secretary the draft of a letter to the Governor of Virginia, Sir John Harvey, which he prays may be sent. [*Extract, Dom. Chas. I., Vol.* 148, *No.* 33.] *Probably the King's letter of* 10 *Aug.* 1629, *dated from Oatlands, copy of which Governor Harvey sent to Lord Dorchester from Virginia inclosed in his letter of* 29 *May* 1630. *See Col. Papers, Vol. V., No.* 93.

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Oct. 30. Westminster. **151.** Grant to Sir Robert Heath, Attorney-General of a territory in America betwixt 31 and 36 degrees of North Latitude, not inhabited by the subjects of any Christian King, but partly inhabited by barbarous men who have not any knowledge of the Divine Deity. Sir Robert Heath, being about to lead thither a large and plentiful colony of men professing the true religion, and

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applying themselves to the culture of said lands and to merchandising, the King grants to said Sir Robert all that river of St. Matthew on the south side, and of Passamagno (the Great Pass) on the north side, with all lands between the same to the ocean east and west, together with the Islands of Veajus and Bahamas, and all other islands lying southerly or near upon said continent, with all ports, creeks, rivers, lakes, fisheries, minerals, precious stones, &c.; and furthermore, the patronage of all churches there to be built, with as ample privileges as any Bishop of Durham ever had within his See, to said Sir Robert, his heirs and assigns, as absolute Lords and Proprietors, with the intention that said Sir Robert should plant the same according to certain instructions signed by his Majesty of the date of these presents and remaining with his Majesty's Principal Secretary. To hold the same in capite by military service, and to render thence yearly one circlet of gold of the weight of 20 oz., with this inscription engraved: *Deus coronet opus suum*, whenever his Majesty or his heirs shall visit that region, and also a fifth part of gold and silver ore, and such proportion of profits and commodities as are expressed in said instructions. And further, his Majesty erects and incorporates said territories into a province to be called for all time Carolana and the Carolanean Islands, with power to make laws by consent of the free tenants or the major part of them, and enforce them by fine, imprisonment, loss of member or life; with power of pardon and all things belonging to Courts of Justice, provided said laws be not repugnated to the laws of England. Also, to make laws in cases of emergency without the consent of the freeholders, provided they do not abridge the right or property of any, or be received elsewhere than within said Province and Islands; with power also to transport himself and others thither, make settlements, and build forts, &c., any statute to the contrary notwithstanding. All his Majesty's subjects carried thither, and their children, shall be reputed his subjects, as if born in England, with equal rights and privileges, with power also to transplant thither all manner of goods and arms, paying only the usual customs, provided licence be first obtained in writing from the Chief Treasurer, or from six or more of the Privy Council. Also with power to wage war against the barbarians, pirates, or other enemies, and subdue tumults and rebellions, to confer honours and titles (provided they be not such as are used in England); incorporate borough and cities with fitting immunities and privileges; import merchandize into any port of England (and export again within one year), paying only such customs and dues as other subjects of his Majesty pay; to constitute ports, saving only to his Majesty's subjects the right of fishing and of drying fish as hitherto. All things in this grant to be interpreted in the most favourable manner to the grantees, provided it be not to the prejudice of the Christian Religion or of allegiance to his Majesty, his heirs and successors; and the grantees undertake to act according to said royal instructions. Provided always, that if any of the premises or any part of them are already granted to any person by his Majesty, or his father, or are actually in the possession of any of his Majesty's subjects, or of those of

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any other Christian Prince or State, then as regards such part of the premises these presents shall be void and of none effect. 3¼ *membranes.* [*Pat. Roll.*, 5 *Car. I., p.* 5, *No.* 5.]

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Jan. 13. **152.** Patent from the Council for New England to William Bradford and his associates, called the last patent for New Plymouth. *Mutilated by damp but repaired.* "Vera copia examined ita attestor Thos. Hinckley." 3 *pp.* [*Col. Papers, Vol.* 32, *No.* 3.] *Printed in Hazard Coll. I., pp.* 298–303.

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March 14. **153.** Warrant to the Lord Treasurer. To pay to Sir John Harvey 500*l.* for transportation, and 1,000*l.* per annum for entertainment out of the customs and duties of tobacco and other goods imported from Virginia. [*Docquet, Dom. Charles I.*]

June 22. Westminster. **154.** Letters Patent to the Governor and Company of Providence Island, Henrietta, and adjacent Islands. Recites the Letters Patent of 4th December 1630 (*see* 1*st Vol. of Calendar, p.* 123); and whereas some doubts have been made whether upon exact computation of latitude one of the Islands taken under them, be really included therein or not, his Majesty, on petition of said Governor and Company, by these presents, takes into his possession all islands situate between 6° and 24° N. Lat. and 210° and 310° Long., not being in the actual possession of any other Christian Prince, or of any of his Majesty's subjects by any former Grant, and grants them to the said Governor and Company, with the same powers, privileges, &c., as are contained in the before recited Letters Patent. 5 *Membs.* [*Patent Roll*, 7 *Chas. I., pt.* 14, *No.* 3.]

June 27. **155.** The King's Commission to Edward Earl of Dorset, Lord Chamberlain to the Queen, Henry Earl of Danby, Dudley Earl of Dorchester, and Sir John Coke, Secretaries of State, Sir John Danvers, Sir Robert Killigrewe, Vice-chamberlain to the Queen, Sir Thos. Roe, Sir Robert Heath, Attorney General, Sir Heneage Finch, Recorder of London, Sir Dudley Digges, Sir John Wolstenholme, Sir Francis Wyatt, Sir John Brooke, Sir Kenelme Digbye, Sir John Zouch, John Bankes, Thomas Gibbs, Samuel Rott, [Wrote], George Sand, John Wolstenholme, Nicholas Farrer, Gabriel Barbor, and John Farrar, appointing them Commissioners to consider how the estate of the Colony of Virginia has been, what commodities have been raised there, how the estate thereof standeth at present, what commodities may be raised there which may be more profitable to said Colony, and by what means said Colony may be better advanced and settled in future times; and to present to his Majesty their proceedings from time to time, with propositions for settling said Plantation, and encouraging Planters and Adventurers. This Commission to continue in force notwithstanding the same be not from time to time continued by adjournment. 1 *Memb.* [*Patent Roll*, 7 *Car. I., pt.* 20, *No.* 50.] *Printed in Rymer, see Syllabus, p.* 882.

1631.
Aug. 4. Canterbury.

156. Grant to Sir Robert Heath, Attorney General of the Province of Carolina. This grant is an exemplification or recitation of the former Letters Patent granted to Sir Robert Heath on 30 Oct. 1629 (*see ante No.* 151) at his own request. *Certified copy by Robt. Rich and Jo. Mychell.* [*Shaftesbury Papers, Section IX., No.* 1.]

Shaftesbury Papers.

1632.
Feb. 4. Massachusetts Bay.

157. Richard Salstonstall to Emanuel Downing, Esq., at the Bishop's Head in Fleet Street, near the Conduit in London. Since his arrival in New England has endeavoured to give a true and faithful relation of such things as come within his observation. The country abounds with good creatures needful for sustentation of the life of man. When they have liberty from building and inclosing of grounds for the safety of their cattle from wolves, doubts not but they shall raise good profit not only by their fishing trade but by hemp, flax, pitch, tar, potashes, soap, ashes, masts, pipe-staves, clapboards, and irons. Therefore, good Sir, encourage men to come over. If gentlemen of ability would transport themselves they might advance their own estates and might improve their talents and time in being worthy instruments of propogating the gospel to these poor barbarous people. Prays him send over by some East Country merchants to get some few master workmen for the ordering of their potash work. [*Coke MSS., Hist. MSS. Commiss., XII. Report, App. I., p.* 449.]

1633.
Sept. 23.

158. The King's Commission to Thomas Young. Whereas Thomas Young of London, gentleman, hath offered to discover divers nations, countries, seas, straits, rivers, and trades in Virginia and other parts of America as yet undiscovered and not inhabited, without putting us to any charges. We being graciously pleased to accept his endeavours, and to further and assist him therein, grant full power and authority to said Thomas Young, and such masters, mariners, and others as will associate themselves with him in that voyage under our ensigns to discover the seas, coasts, bays, straits, creeks, rivers, and passages in Virginia and other parts of America, and to make ready the necessary ships furnished with ordnance and arms, munition, and commodities, and them to carry with them, any law, proclamation, or patent to the contrary notwithstanding. And for his better encouragement, we further grant to said Thos. Young and his assigns, power to carry in said ships goods not prohibited and to trade with the inhabitants of said countries which he shall discover or with any others, and to take possession of all said countries as are yet undiscovered and therein erect our banners and to enter into friendship and alliance with the princes, governors, and people as well of the parts which they shall discover as in their passages to or from those places, and to receive so many of them not of the actual obedience of any Christian Prince into our faith and allegiance as shall be willing to submit themselves under our obedience. And we constitute said Thomas Young Governor and Commander of the vessels and men he shall carry forth with him to make said discovery, with power to appoint captains and officers in said expedition and to govern, furnish, execute, or pardon or do any act of justice against

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his own company at sea or on land in any country wheresoever they shall go in as absolute manner as any General of any army of ours. And we inhibit all others to trade with or frequent any country said Thos. Young or his assigns shall discover without special license in writing under his hand and seal, and the ships and goods of any so trading and frequenting shall be forfeited, with power to said Thomas Young to seize them, one half to our use and the other half to said Thos. Young, his heirs and assigns, with power to repel any forcible invasion, license to seek for metals and mines of gold, silver, or precious stones, rendering the fifth part to us our heirs and successors, and authority to set up factories and to fortify and leave any of our subjects with arms to defend said countries, ports, and places, and to make prisoners and lawful prize of any with their ships and goods who shall seek to inhabit or trade with said countries without special leave. All our subjects inhabiting and planting therein and their offspring to be free denizens of England. And we command all our Admirals, Sheriffs, Justices of the Peace, and all other our Officers, Ministers, and subjects to be aiding and assisting said Thos. Young, his heirs and assigns, and to give them free passage as under our safe conduct. [*Patent Roll*, 9 *Car. I., part* 1, *No.* 6.]

Dec. 12. **159.** Emanuel Dowing to [Sec. Sir John Coke]. Sir Ferd. Gorges with his copartners have many years past laboured to make a plantation in New England, where, having spent their travail and money in vain, being ashamed of their own and envying their neighbour's prosperity, have of late made claim to the very ground where Mr. Winthrop with a colony hath built and planted, labouring either to overthrow their patent of corporation or to have other government established. This plantation and that of Virginia went not forth upon the same reasons, nor for the same end. Those of Virginia went only for profit. These went upon two other designs, some to satisfy their own curiosity in point of conscience, others, which was more general, to transport the Gospel to those heathen that never heard thereof. The only considerable objection against this plantation is that in time they will revolt from their allegiance, and join in trade with strangers. The whole trade of the plantation is maintained by such undertakers as remain in Old England. Those that govern the whole plantation have both lands and children here. Divers others are in reversion, and so in hope of lands here for themselves or their children. The undertakers here will persuade the planters to accept a new patent, and thereby be bound to transport no masts, &c., for cordage and shipping but into Old England. One thing will be humbly desired from his Majesty in this patent, aid against all foreign enemies, and that the patent be enlarged a little to the north, where is the best firs and timber. It is a causeless fear without precedent that a colony planted in a strange land was ever so foolishly besotted as to reject the protection of their natural Prince. Examples from Romans, Dutch, and Portuguese Colonists. Shall any suspect that in this Colony that never since the creation happened in any [Colony], surely they would be counted a foolish and mad people

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that should without constraint take their stocks out of their friends and kinsmen's hands to venture and hazard the same in men's hands in whom they have had no experience. Let this Corporation but enjoy the liberty of their patent, and to choose their own officers, as every corporation doth here, then shall this kingdom clearly gain by the fruits of their labours that commodious trade of cordage, pitch, and tar. Understands of ill news from New England that the Dutch have intruded upon the principal and best river in New England which runneth along the back of this plantation. [*Coke MSS., Hist. MSS. Commis., XII. Report, App. II., pp.* 38, 39.]

1634.

July 3. **160.** Petition of Peter Spencer to the Lords of the Admiralty. Being bound in a ship of passengers for Virginia, "it fortuned a bottle of strong water was lost," for which a boy of the ship was in most cruel manner whipt by the master, Jeremy Blackman, with the tags of points bent and whipcord to force him to confess, through which torment the boy (as the Master pretends) accused petitioner with two others, and notwithstanding petitioner manifested his innocence the Master caused him to be drawn up with ropes, and hung up by the wrists with a murderer or mortar piece of 2 cwt. made fast to his legs, there hanging in most miserable torment upon the rack till the passengers crying out shame on him cut petitioner down. Prays their Lordships to call Blackman before them to answer the above, and also his language to his Majesty's drum-major. With reference to Sir Henry Marten and his report thereon. [*Dom. Chas. I., Vol.* 271, *No.* 12.]

July 27. Belvoir Castle. **161.** The King to the Sheriffs of London and the Keeper of Newgate. The King having received certificate from Edward Littleton, Recorder, touching the King's mercy to Thos. Brice, a condemned prisoner in Newgate, they are required to deliver him to Capt. Thomas Ketelby, or to any other Captain whom Ralph Brice, father to the delinquent, shall appoint, the body of said Thomas Brice, to be transported to the King's plantation in Virginia, provided that if he should return to England without the King's special license, then he shall be taken and executed according to the judgment already pronounced against him. [*Dom. Chas. I., Vol.* 272, *No.* 63.]

Aug. 17. Aboard the "Charles," Plymouth Sound. **162.** Sir John Pennington to Lords of the Admiralty. Met on 9th instant a great Holland ship, the White Greyhound, of Rotterdam, which came from St. Christopher's laden with tobacco and cotton, and bound for Holland, yet there were 28 Englishmen aboard, planters, and two-thirds of the lading belonged to them, so sent her into Plymouth by one of the whelps to Sir Jas. Bagg. Hopes he has not done amiss, though his warrant for that business does not stretch to the Dutch, howsoever, is sure it will be at least 1,000*l.* in the King's purse. *Extract.* [*Dom. Chas. I., Vol.* 273, *No.* 49.]

1634.
Aug. 23. London.

163. Emanuel Downing to Sec. Sir John Coke. Has not heard from Mrs. Meredith about Bourke's land; hopes his Honor will take or has taken a course for passing Read's grant. A ship returned from New England to the west country with masts, which is the first, and now the trade being by us discovered, fears the Dutch will use their wits to appropriate it. But if the plantation prosperously proceeds, doubts not the English will make good that trade against Dutch and French, and likewise gain the country to his Majesty. The Governor this spring sent some English to plant upon the river of Connecticut whither the Dutch last year encroached. They will now be confined to their bounds unless they mean to fight for more. [*Coke MSS., Hist. MSS. Commis., XII. Report, App. II., p.* 64.]

1635.
March 8. Chelmsford.

164. Richard Weston, Baron of the Exchequer, to the King. At the Assizes held for Surrey, Richard Ingram was found guilty of the felonious taking of two kine in February last, and was also at the Lent Assize in 1633 condemned for stealing two horses, when his Majesty's Warrant was issued to deliver said Ingram to Lewis Edwards to be transported into Virginia, with proviso that if he returned without license, he should be executed according to judgment. Ingram confesses he had not been in Virginia nor had license to stay in this kingdom. The sheriff is commanded to stay execution till his Majesty's further direction. [*Dom. Chas. I., Vol.* 284, *No.* 42.]

March 11.

165. Letters Patent to Sir Henry Spiller, Sir Abraham Dawes, Lawrence Whitaker, Edward Ayscough, and Lawrence Lownes. Recite Proclamations of James I. of 29 Sept. and 2 March in 22nd year of his reign, forbidding the importation and sale of tobacco not of the growth of Virginia and the Somers Islands. Another proclamation of 30 Dec., 17 Jas. I., forbidding the planting of tobacco in England or Wales, which were renewed by proclamations of 9 April and 13 May, 1 Chas. I., 17 Feb., 2 Chas. I., 9 Aug., 3 Chas. I., and (? 6) Jan., 6 Chas. I., and appoints John Gilby and Richard Bigge to prosecute offenders against said Proclamations, and Sir Henry Spiller, and the others above-named, are appointed Commissioners to compound with such offenders, said Gilby and Bigge to receive a fourth part of the fines recovered. [*Dom. Chas. I., Case C., No.* 5.] *The five proclamations of Charles I. above referred to will be found abstracted in the first Volume of this Calendar.*

April 10.

166. Notes by Secretary Sir Francis Windebank of business transacted by the Lords of the Treasury. Lady de la Warr's pension of 500*l.* per ann. out of the customs of Virginia respited. [Cecily Lady de la Warr, in a petition to the King some months before, set forth that she had only 10*l.* per ann. to maintain herself and seven children; that King James on the death of her husband had granted her a pension of 500*l.* per ann. for 31 years, to be paid out of the customs of Virginia, but the grant being more than half

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expired she prayed for a renewal for 31 years from the present time, *see* Col. Papers, Vol. 8, No. 18.] *Extract.* [*Dom. Chas. I., Vol.* 285, *No.* 7.]

May 5. [Virginia ?] **167.** —— Zouch to "his dear and loving father Sir John Zouch." Perceives that if the Governor (Sir John Harvey) could have done him any "dispight" here he would have pursued it to the utmost. Left one of the kine he was to receive for his father at Capt. Browne's. The Councillors and Burgesses for the Assembly have framed a letter as from the Burgesses and others to the Council, complaining of their manifold aggrievances, and desiring redress from them. The people of the lower parts met in such troops to set their hands to the letter, that it put Capt. Purify into an affright that caused him to write to the Governor of many incident dangers, insomuch that he durst not keep a Court until he heard from him or had a letter from his Majesty. Hereupon the Governor sendeth warrants for the Council, who, soon after they met, consulted about sending the Governor for England, but Capt. Browne went home over night, "a pain that he had in his belly excused him sufficiently," by reason he opposed the Governor as did the rest. Mr. Menefie absolutely refused his aid in arresting the Governor, alleging reasons that it was not fit to deal so with his Majesty's substitute. Menefie went not home as he said, but to the back river, where he debated with himself, desiring of God to confirm his resolution or abolish it; but the loss of his country striking in his stomack, at last he came resolved as the rest, where the Governor did arrest him of high treason for the words he spake against him at Kecoughton, Sir John Zouch then present; but the Governor had no sooner given Mr. Menefie the thump on the shoulder, but Capt. Utye took him by the middle and arrested him in his Majesty's name, the rest stepping and taking hold of him likewise, looking pale as did Kemp. The Governor refused to go till he saw no resistance, and then desired to choose a Deputy, who, though he spoke very mildly ever since, was denied; they meet (? *sic*) sending him for England with all that can object ought against him, himself residing at Little Town in the interim, forgetting and laying aside all malice formerly between them. Need not be further impertinent, presuming he will be acquainted with the cause shortly after he has wondered at Harvey's unlooked for coming. The Maryland men have boarded Capt. Claiborne, taking all his trade and trading stuff, bound his men and cast them into the hold, besides beating and hurting them in what manner they are not fully acquainted with, but hopes they will have a journey to Pacowomecke. The country prayeth for Sir John Zouch, and generally wishes him to come Governor. His sisters and all friends very well. 3 *pp.* [*Col. Papers, Vol.* 32, *No.* 4.] *Gov. Harvey, in a letter to Sec. Windebank, of* 3 *April* 1635 *complains of "the preposterous haste" of Sir John Zouch to leave the Colony. In another letter to Sec. Windebank of* 14 *July* 1635, *dated from Plymouth, Harvey "excuses his coming from Virginia without license." See Col. Papers, Vol. VIII., Nos.* 53, 73.

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May 7. James Town, Virginia.

168. Governor Sir John Harvey to Richard Kemp, Sec. of Virginia. These are in his Majesty's name to will and require him that upon the first sitting of the Council and Country now gathered together, he declares unto him that their Assembly is unlawfully called and grounded upon meeting and rebellion. Straitly charges all manner of persons that have been called thereunto, that upon pain of death without further consultation had, they betake themselves like obedient subjects peaceably to their several homes, and seeing their agents are gone for England to expect his Majesty's will and pleasure therein. Moreover, strictly commands them of this Assembly to make present answer whether those persons be the first authors of laying violent hands on and deposing his Majesty's Lieutenant and Substitute from his charge and trust, some of the Council charging him with treason, and those some other insolent persons seek to cloud their inveterate malice and contempts to government under false pretences of general good, which hath been evermore the colour and shadow of all rebellions. Therefore, in the fear of God and obedience to the King, forewarns them not to run headlong upon a certain ruin of themselves and their posterities. [*Coke MSS., Hist. MSS. Commis., XII. Report, Append. Part II., p.* 79.]

May 15. Whitehall.

169. Lords of the Admiralty to Robt. Earl of Lindsay. Upon information given that ships coming from St. Christopher's, Barbadoes, the Caribbee Islands, Virginia, Bermudas, and other English Plantations, go to foreign countries with their goods, to the King's great loss in his customs, the Council have given the Lords of the Admiralty order to cause such ships to come for the Port of London or some other port of this kingdom. Pray him to take effectual care for meeting with such ships, and to cause the masters to enter into bond to bring their ships to London or some other English port; and should the master of any ship refuse, the Earl is to place aboard a sufficient cupplement of men to bring the ship to London. [*Dom. Car. I., Vol.* 264, *fol.* 128*a.*]

May 25. Newport News, Virginia.

170. Sam. Matthews to [Sec. Sir John Coke?]. Account of the differences between Governor Sir John Harvey and the people of Virginia. The Governor is leaving James Town and the Colony, appointing Capt. John West to act as Governor till his Majesty appoint another. [*Coke MSS., Hist. MSS. Commis., XIIth Report, App. Part II., p.* 81.]

June 18.

171. Acts of the Court of High Commission. A petition read from John Haydon, prisoner in Bridewell, wherein he voluntarily acknowledges his manifold contempts against the authority of the Court, as well in preaching abroad since his degradation, as also in making sundry escapes out of prison, and offers voluntarily to leave this kingdom and go to Virginia, if order were given for his enlargement; which the Court ordered on his giving bond with sufficient sureties. *Extract.* [*Dom. Chas. I., Vol.* 261, *fol.* 243.]

1635.
July 8. **172.** Warrant to the Sheriffs of London and Middlesex and the Keeper of Newgate. For delivery of Maurice Cavenaugh, Richard Greene, Jane Wood, Anthony Bromley, Mary Fortescue, John Humfreys, Margaret Challicombe, Joan Howell, Jane Pryn, Elizabeth Branscombe, Mary Burbeck, Elianor Sutton, Elizabeth Williams, and Thomas Merry, to Capt. Thos. Hill or Capt. Richard Carleton, to be transported by them into Virginia, with a clause for executing any of the said prisoners who return. [*Dom. Chas. I., Docquet.*]

Dec. 5. **173.** The King to the Sheriff of Kent. In behalf of John Tallford, miller, convicted at the last quarter sessions at Canterbury of stealing a mare, and now to be transported by William Gibbs into Virginia, not to return without special license. [*Dom. Chas. I., Docquet.*]

1636.
Feb. and March. **174.** Notes by Edward Nicholas, of business to be transacted by the Lords of the Admiralty :—

Feb. 11.—To give directions concerning a ship to transport Sir John Harvey to Virginia. [*Dom. Chas. I., Vol.* 313, *No.* 84.]

Feb. 17.—To know his Majesty's pleasure concerning a ship to transport Sir John Harvey to Virginia. [*Ibid., Vol.* 314, *No.* 13.]

Feb. 18.—To consider of Sir John Harvey's letters to have the Mary Rose with 50 or 60 men to transport him to Virginia, he will pay the charges of victuals and wages. *Margin,* Sir John to repair to the officers of the Navy. [*Ibid., No.* 19.]

Feb. 29.—Warrants for the Black George to transport Sir John Harvey to Virginia, and to appoint what vessel shall be set forth in her place. *Margin,* respited. [*Ibid., No.* 108.]

March 7.—Sign Warrants for the Black George to transport Sir John Harvey to Virginia, and to appoint what ship shall be added to the fleet in her place. [*Ibid.*]

March 20. Weymouth. **175.** List of 106 persons "bound for New England" from the port of Weymouth. This list is headed with the names of Joseph Hall [*sic* ? Hull] of Somerset, minister, aged 40, Agnes his wife aged 25, seven children and three servants. Then follow Musachiell Bernard of Batcombe, clothier, Mary his wife, and two sons; Richard Persons, salter, and servant; Fras. Baber, chandler, Joseph Joyner, Walter Jesop, weaver, Timothy Tabor of Batcombe, Jane his wife, three daughters and servant; John Whitmarck, Alice his wife, and four children; Wm. Read of Batcombe, Susan his wife, two daughters; Rich. Adams, his servant, Mary his wife and child; Zachary Bickwell, Agnes his wife, son, and servant; George Allen, Katherine his wife, three sons and a servant; Henry Kingman, Joan his wife, five children and a servant; William King, Dorothy his wife, and four children; Thos. Holbrook of Broadway, Jane his wife, and four children; Thos. Dible, husbandman, and Frances his sister; Robt. Lovell, husbandman, Eliz. his wife, and five children and servant, Alice Kinham; Angell Holland, Katherine his wife, and two servants; Rich. Joanes (*sic*) of Dinder, Robt. Martyn of Badcombe, Joan Martyn, Hump. Shepheard; John

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Upham, Elizabeth his wife (?) and five children (? not stated but all Uphams); Rich. Wade, Eliz. his wife, Dinah his daughter, and two servants; John Hoble and Robt. Huste, husbandmen, John Woodcock and Rich. Porter. *Signed by* John Porter, Deputy Clerk to Edward Thoroughgood. 7 *pp.* [*Col. Papers, Vol.* 32, *No.* 5.]

April 2. Westminster. **176.** Commission from the King to Sir John Harvey, Governor, and to such as are or shall be appointed Councillors of Virginia. Whereas by Letters Patent of 26 March 1629, his Majesty nominated said Sir John, by the name of John Harvey, Esqre., Governor, and divers persons the Council of said Colony, which commission his Majesty absolutely revokes by these presents; nevertheless, for better ordering the affairs of said Colony until his Majesty shall find means to give more ample directions for the same, his Majesty by these presents nominates said Sir John Harvey, and such others as his Majesty has named or shall hereafter name, to be the Governor and Council of said Colony, with power to execute the authorities incident to a Governor and Council of Virginia, as amply as any Governor and Council there at any time within 10 years last past, nevertheless, according to such instructions as they do now or shall hereafter receive from his Majesty, his Privy Council, or the Lords Commissioners for Plantations for the time being; with power to grant commissions for the discovery of the country, and finding out what trades shall be most advantageous, and to send out forces for subduing the Indians, and make war and peace with them, keeping always sufficient forces for holding the places now enjoyed. With power to the greater part of said Council, upon the death or in the absence of the Governor, to elect one of said Council to be present Governor; and to the Governor, on the death or discontinuance of any of said Council, to give notice thereof to his Majesty and Commissioners of Plantations. Also power to Sir John Harvey and to Richard Kemp, who have already taken their oaths, to administer the like oath to said Councillors. This commission to continue in force until by some other writing under the Signet, Privy Seal, or Great Seal of England, his Majesty shall signify his pleasure to the contrary. $1\frac{3}{4}$ *membs.* [*Patent Roll,* 12 *Car. I., pt.* 21, *No.* 1.]

April 29. Whitehall. **177.** Lords of the Admiralty to Sir Henry Marten. Edward Cason and other merchants of London, Adventurers for the increase of trade in the West Indies, have prepared the Hopewell of London of 200 tons, carrying 16 pieces of ordnance, with a pinnace, the Hope, of 30 tons, for discovery of that part of the Continent betwixt Virginia and Canada and the Islands thereof, and likewise to fish amongst the French, to make corr-fish upon the Grand Bank in the ocean not fished by any English, and to repair to the eastward of New England and Canada to seek and trade for sea-horse teeth and other merchandize. They have desired a commission against pirates and sea rovers who haunt those fishings to be granted to Richard French, captain of the ship and pinnace;

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which is to be issued according to the usual form. 2 *pp.* [*Dom. Chas. I., Vol.* 130, *p.* 30.]

May 19. **178.** Warrant to the Sheriffs and Keepers of the Gaols in Kent, Sussex, Essex, and Herts. To deliver William Savage, John Richardson, Thomas Browne, *alias* Anderson, Richard Martyn, John Skeete, and George Garrett, condemned prisoners in said gaols, to William Drysdell to be transported into his Majesty's Plantation of Virginia, with proviso that they return not without the King's special license. [*Dom. Chas. I., Docquet.*]

June 12. Hampton Court. **179.** Lords of the Admiralty to William Smith, captain of the Black George, appointed to transport Sir John Harvey and his company, servants, and followers to Virginia. To receive Sir John at Portsmouth and to proceed in a straight course to Virginia, to land Sir John, who was his Majesty's Governor of that Plantation, at such port as he should direct, and to attend to take aboard and bring from thence such persons, goods, and provisions as Sir John should appoint to be brought for England. To apply himself to such directions as Sir John shall give for his Majesty's service, and on his return to shape his course for Chatham, where the Black George is to be moored for the next winter. 3 *pp.* [*Dom. Chas. I., Vol.* 157, *fol.* 47.]

Aug. 17. God's House in Portsmouth. **180.** Edward, Viscount Wimbledon, to Sec. Sir Francis Windebanke. For Sir John Harvey's letter, he will be careful to give it; for he is so far from being gone, that his people there cannot hear of him. Wishes he were departed, for there come daily so many from London to go with him that it is feared they may bring that ill (the plague), which as yet they are clear of. For haste of the journey, they see little. This day they are unloading the ship to search for a leak, being a most crazy old ship. *Extract.* [*Dom. Chas. I., Vol.* 330, *No.* 44.]

Sept. 24. **181.** Examination of John Dunton of London, mariner. In a small ship of London, called the Little David, set out by Mr. Armitage, a woollen draper, at the sign of the Beads in Cannon St., with 50 men and boys and 7 women, bound for Virginia, John Hogg, Master, they were all taken by a Sallee man 35 leagues beyond the Land's End; they were taken to Sallee and sold for slaves, amongst whom was a son of examinant about nine years of age. Was sold to one Aligolant, who having the greatest part in this bark, and having never a Christian slave but examinant that could take charge of a ship, commanded him to go Pilot to the English Channel for taking English women, being of more worth than other. Coming on the English Coast they took a fisher boat with intention to make a party against the Moors, according to a previous resolution. At a certain time they called to the Dutch and English to stand up for their lives and liberties, whereupon they drove the Moors into the hold, hoisted up a white flag and hung the Turks' Colours over the stern into the water, and brought their bark into the first port. [*Dom. Chas. I., Vol.* 332, *No.* 30 V.]

1637.
Sept. 30. Hampton Court. **182.** Order of the Privy Council. On petition of Margaret and Elizabeth Gates, daughters of Sir Thomas Gates, and Margaret Gates, widow of Anthony Gates, son of Sir Thomas. About three years past they petitioned his Majesty for moneys due to Capt. Thomas Gates, deceased, son of Sir Thomas, for his service in the voyages to Cadiz, Rhé, and Rochelle, in which service by a cannon shot he lost his life. His Majesty referred the petition to the late Lord Treasurer, but his Lordship dying suddenly nothing was done. Petitioners being now destitute of means to relieve their wants, or to convey them into Virginia, where their father, Governor of "that isle," died and left his estate in the hands of persons who have ever since detained the same, besought the Lords to be a means to the now Lord Treasurer for payment of the moneys due to said Capt. Thomas Gates. Their Lordships taking same into consideration hereby pray the Lord Treasurer, when petitioners shall make appear what is due to them, to give order for payment thereof as soon as may be. *Draft, with correction.* [*Dom. Chas. I., Vol.* 368, *No.* 91.]

1638.
Feb. 23. **183.** Petition of Alexander Harris, deputy saltpetre-man for London, to the Commissioners for Saltpetre. Prays that his deputation may be for 21 years; and whereas his factors of Barbadoes and Virginia advise that saltpetre may be raised in those places inhabited by the English, prays the Lords to make him their sole deputy in those colonies. [*Dom. Chas. I., Vol.* 382, *No.* 77.]

March 23. **184.** Appointment of Capt. Richard Morison to be Captain of the Castle at Point Comfort in Virginia, void by the death of Capt. Hooke. [*Dom. Chas. I. Docquet.*]

March 29. Westminster. **185.** Grant to Richard Morison of the office of Captain or Keeper of the Castle of Point Comfort in his Majesty's Dominion of Virginia, vacant by the death of Capt. Francis Hooke, late Governor there, during pleasure, with the same privileges and emoluments as were granted to said Francis Hooke. *Latin.* [*Patent Roll,* 14 *Car. I., Pt.* 38, *No.* 5.]

1639.
Jan. 8. **186.** Commission to Sir Francis Wyatt to be Governor of Virginia, with the powers granted to Sir John Harvey in 1636, but with this enlargement, that upon death or discontinuance of any of his Majesty's Council there, the Governor and Council may choose others whose names are to be certified to his Majesty or to the Commissioners for Plantations for allowance. [*Dom. Chas. I. Docquet.*]

Feb. 5. **187.** Warrant to the Sheriff of Surrey and the Keeper of the Gaol of White Lion, Southwark. To deliver to William Flemmen of London, gent., the bodies of Francis Osborne, *alias* Stillinge, Alice Williams, and five others condemned prisoners in the said gaol, to be transported to Virginia, with proviso that if they remain here above 20 days after their enlargement, or return without license, then to be executed. [*Dom. Chas. I. Docquet.*]

1639.
Feb. 17. **188.** Lord Arundel of Wardour to Sec. Sir. Fras. Windebanke. My son Baltimore is brought so low with his setting forward the plantation of Maryland, and with the clamorous suits and opposition which he hath met withal in that business as that I do not see how he could subsist if I did not give him his diet for himself, his wife, his children, and servants. *Extract.* [*Dom. Car. I., Vol.* 413, *No.* 17.]

March 8. **189.** Answers of Elizabeth, wife of Charles Barcroft of Old Ford, Middlesex, to articles objected against her by the Commissioners for Causes Ecclesiastical. In August 1636 her husband left off his trade in London and went into Virginia, where he yet lives, upon occasion that John Barcroft, his brother and factor there was deceased, her husband having divers debts and goods owing to him, where he traded as a merchant; and that he left no competent estate in money, &c., but has yearly sent this respondent commodities from Virginia to make money of and maintain herself in good fashion and reputation. Upon the departure of her husband she went to reside with her father and mother at Whitechapel, where she stayed about a year, but denies that she entertained any unlawful familiarity with John Barcroft, Thomas Bulkeley, or other lewd persons. 10 *pp. Damaged by damp.* [*Dom. Chas. I., Vol.* 214, *No.* 71.]

July 11. **190.** Sir Francis Wyatt, Governor of Virginia, to Secretary Sir John Coke. Presents his instructions having passed the examination of the Sub-Commissioners for Foreign Plantations together with the names of such persons as their Lordships approve of as fit to be of the Council in Virginia. For the place of muster master, Capt. John West, a gentleman of noble quality, is an humble suitor to his Majesty, who, being recommended by my Lord of Holland, presumes not to add anything in his behalf. Is now ready for his voyage which his Majesty's service with the time of year call upon him to hasten. *Annexed,*

190. I. Secretary Sir John Coke to Sir Francis Wyatt. Sends back his instructions signed by his Majesty with the name of Capt. John West inserted for his muster master, in his Majesty's own handwriting. In wishing him a prosperous voyage with honour and contentment in his employment, commends him to God's protection. [*Coke MSS., Hist. MSS. Commis., XIIth Report, App. Part II., pp.* 236, 237.]

July 11. **191.** Sir Francis Wyatt to Mr. Weckerlin, Secretary to Secretary Sir John Coke. His suit is that his instructions may be signed by his Majesty and returned to him, being on the point of beginning his voyoge; has deposited with Mr. Lucas six pieces for Mr. Secretary, and four for himself. Begs he will direct his instructions to him at Mr. Mordaunt's house at the sign of the Golden Gridiron, by the Maypole, in the Strand. [*Coke MSS., Hist. MSS. Commis., XIIth Report, App. Part II., p.* 236.]

1639.
Aug. 7. Westminster Palace.

192. The King to the Provosts of King's College, Cambridge, and of Eton College, and to the electors there. Recommends Francis Wyatt, a scholar of Eton College and son of Sir Francis Wyatt, Governor of Virginia, to be chosen and admitted at this election to the first or second place in King's College, Cambridge. *Signed by the King.* [*Dom. Chas. I., Vol.* 427, *No.* 28.]

1641.
Aug. 9. Westminster.

193. The King's Commission to Sir William Berkeley and others to be the Governor and Council of Virginia. Whereas by Letters Patent dated 11th January 1639 his Majesty appointed Sir Francis Wyatt and others to be the Governor and Council of Virginia, which Commission his Majesty absolutely revokes by these presents; nevertheless, minding that said colony should be regulated as well in ecclesiastical as temporal government, according to the laws of England, his Majesty therefore, for the better ordering of the affairs of said Colony, until he shall find means to give more ample directions for the same, by these presents nominates Sir William Berkeley to be the present Governor, and Sir Francis Wyatt, John West, Richard Kemp, Samuel Matthews, Nathaniel Littleton, Christopher Wormeley, William Peirce, Roger Windgate, John Hopson, Thomas Paulett, George Menefie, Henry Browne, William Brocas, Argall Yardley, Thomas Pettus, Thomas Willoughby, Richard Bennett, and Humfrey Higgeson, to be the present Council of said Colony, with power to execute the authorities incident to a Governor and Council of Virginia as amply as any Governor or Council there within the space of 10 years last past; to grant Commissions for the discovery of the country, and finding out what trades shall be most for the advantage of said Colony, and to send out forces for the subduing of the Indians, and make war or peace with them in all cases, as may stand with the safety of said Colony and his Majesty's honour, keeping always sufficient forces for holding the places now enjoyed. And said Commissioners shall have power on the death or absence of said Sir William Berkeley to select one of said Council to be present Governor. Nevertheless, they shall proceed according to such instructions as they do now or shall hereafter receive from his Majesty's Privy Council and Lords Commissioners and Committees for the time being. And upon the death or discontinuance of any one of said Council, said Governor and Council shall elect some other discreet person in the room of him, and certify the same to the Lords Commissioners of Plantations to receive allowance or disallowance. And said Sir William Berkeley and Richard Kemp, before they depart out of England, shall take the oaths heretofore taken before the Lord Keeper or Lord Privy Seal, and shall afterwards administer the same to Sir Francis Wyatt and the other Councillors aforesaid. And this Commission shall continue in force until by some other writing under the Signet, Privy Seal, or Great Seal, his Majesty shall signify his pleasure to the contrary. 2 *Membs.* [*Patent Roll*, 17 *Car. I., pt.* 6, *No.* 6.]

1644.
Antigua.

194. Eight Acts passed by the Governor, Council, and Assembly of Antigua, viz.:—November 20, against carnal copulation between

1644.

Christian and heathen. November 12, against incest; against removing from one division to another without order; appointing the proportion of ammunition to be kept in private houses; against the transporting of timber without license; against heaving ballast or other hurtful matter out of any shipping or vessels within any of the harbours or roads of this Island; against indebted runaways suing for their creditors by attorneys, and concerning the measuring of land by sworn surveyors, &c. Each Act is signed Henry Ashton, Governor. *Together*, 9 *pp.* [*Col. Entry Bk., No.* 49, *pp.* 49–57.]

1650.

May 24. **195.** License for Sir Lewis Kirke, John Clever, and Charles West to pass to Newfoundland. [*Dom. Interreg., I.* 111, *p.* 11.]

May 27. **196.** Order of the Council of State. That the Lord Albion shall have liberty to transport into New Albion such men, arms, and ammunition as he hath ready to go thither, he giving good security that they shall not act anything prejudicial to the State. [*Dom. Interregnum, I.* 64, *p.*. 393.]

Nov. 27. **197.** Minutes of the Council of State. Upon consideration of the four propositions presented to the Council from divers Merchants of London and planters interested in the Island of the Barbadoes, it is resolved that both in respect of the matter and manner of them they are dishonorable to the Council, and therefore to be rejected and layd aside. [*Dom. Interregnum, I.* 13, *p.* 67.]

1651.

Sept. 13. **198.** License for Capt. John Ravenscroft to pass to Virginia. [*Dom. Interreg., I.* 111, *p.* 25.]

1652.

Jan. 11. **199.** Articles agreed on by Lord Willoughby of Parham and Sir Geo. Ayscue, Daniel Searle, and Capt. Michael Packe for the rendition of Barbadoes to Sir Geo. Ayscue, General of the State's fleet before said island, for the use and behoof of the Parliament of the Commonwealth of England. Liberty of conscience in matters of religion, except to such whose "tenents" (*sic.*) are inconsistent to a civil government, and that laws be put in execution against atheism, blasphemy, and open scandalous living, and that no Minister be deprived except on scandalous living, seditious preaching, or unsound doctrine proved against him. Courts of justice and judgments to be valid unless reversed by law. No taxes, customs, impost loans or excise to be levied without consent of the Assembly. No man to be imprisoned or put out of possession of his lands or goods without due process of law. All suits to be determined in Barbadoes, and none to be compelled to go to England without consent of the Assembly. An Act of indemnity to be passed by the Parliament in England to keep the inhabitants of Barbadoes harmless for anything done or spoken before the date of these Articles to be filed among the records of the Assembly, and that the Act of 3 Oct. 1650, whereby the inhabitants of Barbadoes have been declared Traitors, be taken off the file from among the records. All said inhabitants comprised within these Articles to

1652.

be restored to their lands and possessions to which they have right in England, Scotland, or Ireland. No oaths or engagements to be imposed upon said inhabitants against their conscience. To have as great freedom of trade as ever, no companies to be placed over them, and no commodities engrossed into private men's hands. Lord Willoughby, and those employed by him, to be discharged from the payment of public debts which as before are to be paid by the excise on strong liquors and such other ways as the Assembly shall seem fit, provided respect be had to such as have eminently suffered in their estates. All persons to have liberty to transport themselves and their estates, first setting up their names according to the custom of said island. Prisoners to be set free, and horses, cattle, servants, negroes, and other goods returned to their right owners, except such servants as had their freedom given and came on board before Saturday, 3rd January. That particular persons in said island, together with Sir Sydenham Poyntz, who have estates on Antigua, may peaceably return. That for a certain time execution be stopped on sufficient caution given, the Commissioners and Assembly to be judges of the time and caution. That the three small vessels on ground before the Bridge Town remain to their owners, with liberty to go to any port laden. Lord Willoughby to have his lands, rents, and estates in England without fine or composition restored to him or his assigns, free from all encumbrances laid by Parliament or any other authority, and his settlement at Surinam, or any part of the main of Guiana, to be enjoyed by him without disturbance; to have liberty to bring servants from any port in England or Ireland, and his plantation at Antigua to be reserved to him, and all his estate in Barbadoes to be to him entirely preserved. The estates in said island of all persons which have been sequestred "upon this public difference" to be forthwith restored to them. Said island, with all forts, artillery, arms, and ammunition to be delivered to Sir Geo. Ayscue for the use of the States of England before 12 o'clock on Monday, 12th inst. January; no garrisons to be kept, and all forces disbanded within 24 hours of the sealing of these articles, and the Militia to be disposed of as the present Commissioners and future Governors shall seem fit, but this article not to be construed to take away the arms of any private individual. The Government of said island to be by a Governor, Council, and Assembly according to the ancient and usual custom. The Governor to be appointed by the State of England, the Council for the present to be by him chosen; the Assembly to be chosen by a free election of the freeholders. And whereas the chief cause of our late troubles and miseries hath grown by loose, base, and scandalous uncivil language tending to sedition and division, it is agreed that at the next Assembly a strict law be made against all persons under heavy penalties for reviling speeches respecting former differences, and reproaching any man for the cause he hath formerly defended. These Articles, with all convenient speed, to be presented to Parliament to be by them confirmed. All laws heretofore made by the General Assembly to be good excepting those which concern the present differences. Lord Willoughby to have liberty to go to England, and stay or depart at his pleasure

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without having any oath or engagement put upon him, he acting nothing prejudicial to the Commonwealth of England. *Signed and sealed,* F. Willoughby; *also* Hen. Scobell, Clerk of the Parliament. *Annexed,*

199. 1. 1652, Aug. 18. The House this day took into consideration the above Articles, and Resolved that the Parliament approve and confirm same, provided that nothing therein mentioned extend to the prejudice of any third person as to any of the plantations mentioned in said Articles, or confirm Lord Willoughby, or any other person by his authority in the place of Governor or Commander, or in any Government or command in any of the Plantations. *Signed by* Hen. Scobell, Clerk, Parliament. 1 Sept. 1652. Sworn by Henry Harloff to be a true copy. 17 *pp.* [*Dom. Interreg., G.* 145, *pp.* 89–121.]

May 6. **200.** Orders of the Council of State. That 100*l.* be paid unto Capt. Richard Nicholls by Mr. Frost out of the Council's contingencies for his good service in bringing the news of the surrender of the Barbadoes according to the Order of Parliament of 23 April 1652, and that Ten Pounds be paid to [*blank in orig.*], who brought the first news of the surrender of Barbadoes. [*Dom. Interreg., I.* 67, *pp.* 17, 18.]

Nevis. **201.** Order of the Assembly of Nevis on Capt. William Digby's claim touching the bounds of his Plantation. Whereas in the time of the late Governor Capt. James Lake (1643) the Assembly adjudged that there must be "an extent line" from Fig-tree Pond to Saddle Hill, the present Governor has caused the Surveyor "to draw a Platform" of all those Plantations that might cross one another; whereby it plainly appears that said Act was most necessary, and that there is no possibility to answer Capt. Digby's ends. Certificate to be sent to his Lordship. *Also,* Order of the Assembly for making "an extent line" between certain Plantations from the Fig tree Pond southerly down to Saddle Hill. 1½ *pp.* [*Col. Entry Bk., No.* 49, *pp.* 13, 14.]

1653.

March 10. Whitehall. **202.** Council of State to our loving friends the Governors and Commissioners of the United Colonies, New England. The Parliament having committed to us the especial care of the Plantations, and having considered the occasion the Commonwealth has for tar, masts, deals, and other materials, and how they may be supplied from New England if the discouragements upon those commodities are removed, conceive ourselves obliged to do what we can to take away all obstructions and give all due encouragement by promoting and augmenting the manufacture there, so as not only to render the supplies more certain and less dependent upon other countries, but also to increase the trade and welfare of that plantation, and as we have appointed a ship to be fitted out and sent to New England for 10,000 barrels of tar, as also other commodities, we desire you will use all possible means to provide them. *Signed by* Salisbury, President. *Annexed,*

1653.

202. I. Account of the sale of goods, amounting to 1,681*l.* 4*s.* 2*d.*, received from aboard the King David. *Signed* by Thos. Clarke and Thos. Lake. Boston, New England, 1653, Oct. 29.

202. II. Another account of money received for masts, tar, and other commodities shipped for England, amounting to 1,368*l.* 16*s.* 1*d.* Signed by Clarke and Lake. Eight passengers to England by the King David paid 5*l.* each, viz., Mrs. Susanna Evans and two others, Jacob Mygate and Step. Heman, G. Horden, Mrs. Jorden, and Sam. Whytfield. Boston, 1653, Nov. 7.

202. III. Invoice of goods, consisting of hose, serges, cloth, rugs, blankets, bolsters, stuffs, iron ware, &c., sent to New England for the account of the Commonwealth aboard the Augustine, Capt. Robt. Fenn, to be disposed of by Maj. Sedgwick and Lieut. Leverett, to procure masts. 1654, Feb. 11.

202. IV. Account of disbursement on the King David in New England and at her return at London. 1654, Mar. 6. *Together*, 25 *pp.* [*Col. Papers, Vol.* 32, *Nos.* 6, 6 *I.–IV.*]

Oct. 6. **203.** Order of the Council of State. That Mr. Lawrence, Mr. Strickland, and Charles Wolseley and Col. Jones, or any two of them, be appointed a Committee to consider of that part of the letter written from Mr. Hooke [Rev. William Hooke of New Haven] which relates to the practise of the Dutch with the natives in New England, and to speak with Mr. Winslow concerning that business, and upon consideration had of the state of the whole matter, to report to the Council what they judge fit to be done thereupon. [*Dom. Interregnum, I.* 71, *p.* 50.]

1654.

June 6. **204.** Petition of Capt. Daniel Howe, of New England, to the Lord Protector and Council. Was cast away between Virginia and New England; bought a ship at New Amsterdam, in America, called the Hopewell, which was taken from him in Virginia by Lieut.-Col. Edm. Scarborough, under pretence she traded for the Dutch, and Scarborough procured one Peter Wraxhall to swear she acted under his Commission; and the matter being referred to the Governor and Council in Virginia for their award, petitioner succeeded so far as to obtain leave to come to England, upon entering into bond in 1,000*l.* to appear before the Council of State or the Admiralty Court, and abide by their decision whether his ship or the value thereof, being surprised by the Governor of Virginia, was a prize to that colony under their commission from the Council of State. But on presenting his papers to the Admiralty Court, petitioner found that Wraxhall's owners had procured a condemnation of the ship in their favour behind his back, notwithstanding Wraxhall's engagement to stand by the award of the Governor, and thereupon was advised to appeal to the Judge Delegates, but although petitioner has attended since Feb. last, he can get no redress. Prays that his case be taken into consideration. With reference to the Admiralty Commissioners, to

1654.

give such speedy and effectual order as they seem meet. 1654, June 9. 1 *p.* [*Col. Papers, Vol.* 32, *No.* 7.]

July 1. Church Prize, Nantasket, near Boston, New England.

205. Mark Harrison to the Navy Commissioners. Sends particulars of his voyage since leaving Portsmouth. Lost company of the Black Raven and Augustine in storms and extremity of weather, and were forced to Fayal. It was concluded by Major Robert Sedgwick and Capt. John Leveret to send the Black Raven home again as not fitting to go to the westward. Arrived at Boston 12 May 1654, where they waited three weeks for the coming of the Major, who arriving with Capt. Fenn in the Augustine, they commenced raising forces for taking the Dutch plantation, and the assistance of the Southern Colonies was not wanting in carrying on that design, but Massachusetts did not act with that life that was expected, supposing they had not a just call for such a work. After spending some time in raising soldiers, and having accomplished their desires, received news of the peace with the Hollanders, whereupon the colonies deserted them, and they were forced to let the design fall through. Masts not being ready, it was thought good to turn their design towards the French, and to prosecute same have entertained 100 soldiers, and are now ready to put forward on that design, intending to spend the time they are forced to stay for masts. Hope to give full account of their proceedings in their next. [*Col. Papers, Vol.* 32, *No.* 8.]

21 July. On board the States Ship Church, John River, Bay of Fundy.

206. Mark Harrison to the Commissioners of the Admiralty. Since his last "it hath pleased the Lord to give into our hands from the French" the fort commonly called St. John's Fort; in it were near ninety persons, about seventy men, nineteen pieces of ordnance, sixteen "bases and murderers," with other arms enough for three times as many men, not much beaver, but a considerable quantity of skins. The terms upon which they surrendered were that they should be transported to France, have their clothes and single arms, forty days' victuals, and march out of the Fort with colours flying and match burning at both ends, and drum sticks. The Major intends with speed to go for Fort Royal, ten leagues from this place; it is a considerable place, but not so strong as is already taken. 1 *p. Two papers, one almost a duplicate of the other, but addressed to the Commissioners of the Navy.* [*Col. Papers, Vol.* 32, *Nos.* 9, 10.]

Aug. 30. On board the Church, on the coast of Acadia.

207. Mark Harrison to the Commissioners of the Admiralty at "Whight Hall." Since his last [*see preceding abstract*], "it hath pleased God to give us the fort commonly called Fort Royal," which they took the 8th inst. In it were 113 men, twenty-three great guns besides others, arms for 500 men, fifty barrels of powder, and shot proportionable, and a great quantity of provisions; also a ship of about 200 tons and 16 guns, partly laden with brandy, French wines, &c. The ship was given them to carry the Frenchmen taken in the fort to France, only the guns, powder, and shot were taken out. Are now at Penobscot, where the French have a

1654.

small fort yet in their possession, but expect it from them daily; it is a place of good trade with the Indians. Not any more French inhabiting this coast. Sept. 9th.—Since writing the above have taken Penobscot Fort, and are now arrived at Piscataqua. 1 *p.* [*Col Papers, Vol.* 32, *No.* 11.]

Aug. 31. On board the Church, at Penobscot, Coast of De La Cadie, New England.

208. Mark Harrison to the Navy Commissioners. To the same effect as the preceding, with the addition that in taking Fort Royal they lost one man outright, and 6 wounded, while marching up to the fort, by an ambush. They fired at our men before they saw them, but our Old England soldiers gave them no more time to load, but ran upon them and put them to the route, killed 5, wounded divers, and quite disheartened them from coming out of the fort any more although they had as many men as we. 1 *p.* [*Col. Papers, Vol.* 32, *No.* 12.]

2 Oct.

209. Order of Court of the Bermudas Company. On representation by the Governor and Council in the Somer Islands of the great prejudice to divers persons for want of a liberty to try titles to lands in the Courts there, the Grand Committee report that liberty be henceforth granted to prosecute suits for titles to lands to judgment and recovery in said islands, provided that all persons concerned have liberty of appeal to the Company. *Endorsed,* "2^{d} Octob. 1674 (*sic*). Order of the Bermuda Compr. for settling Courts of Judicature in their Islands. Read the 23rd of Octob. 1679." 1 *p. See Lefroy's Memorials of the Bermudas, II.* 49. [*Col. Papers, Vol.* 32, *No.* 13.]

Nov. 9. Boston, New England.

210. Maj. Robt. Sedgwicke and Capt. John Leverett to Richard Hutchinson, Treasurer of the Navy. These are to accompany a bill of exchenge of 646*l.* 14*s.* 4*d.* payable to William Barrett, for so much disbursed in New England for the service of the fleet belonging to the Commonwealth of England by Capt. Leverett out of his proper estate. "Pray you at time make payment, so commending you to the Lord." ½ *p.* [*Col. Papers, Vol.* 32, *No.* 14.]

Nov. 10.

211. Petition of Capt. Daniel How to the Commissioners for the Admiralty and Navy. That petitioner has been now almost two years in trouble about his ship the Hopewell, and understanding that Major Hazard is still weak so as petitioner can have no appearance of him and being unable to lye here and wait, prays for a speedy hearing until when he cannot be clear of his bond in 1,000*l.* to the Governor and Council of Virginia nor get some tobacco owing to him in Virginia, *see ante, No.* 204. ½ *p.* [*Col. Papers, Vol.* 32, *No.* 15.]

Dec.

212. "A particular list of the names of the persons already paid their first month's pay for their respective qualities under the command of General Venables in the West Indies." Five regiments and a troop of horse. The first under Genl. Venables, with Lt.-Col. Edward Doylie, Major Francis Mercer, and Capts. George Butler, Carey, John Cooke, Henry Davice, Henry Disney, Thomas Hand-

1654.

cock, George Persons, and Obadiah Hinde ; the second under Major-Genl. James Haines, with Lieut-Col. John Clarke, Major Saml. Barry, and Capts. Henry Archbould, Richard Bamford, Daniel Smith, George Toms, Edward Willett, Thomas Walter, and RichardYounge ; the third under Col. Richard Fortescue, with Lt.-Col. Richard Holdyrt, Major William Hill; and Capts. Henry Bartlitt, Bartho. Davice, Obadiah Edwards, John Keene, Samuel Leverington, Richard Weles and White ; the fourth under Col. Anthony Buller, with Lieut.-Col. Francis Barrington, Major Michael Bland, and Capts. Adam Baynard, Stroud Bingham, Christopher Cooper, Vincent Corbitt, John Minn, Throckmorton, and Arundall ; the fifth under Col. Andrew Carter, with Lt.-Col. Thos. Bushell, Major John Fergeson, and Capts. Nathaniel Bowers, Winkfield Blunt, Abra. Fincher, Nicholas Halford, and Thomas Salkeild ; and the troop of Horse under Capt. Jones ; also John Cudworth, Judge Advocate, John Dean, Marshall General, Mark Fowler, and Thomas Goodfellow, Provost Marshalls, Robert Wadeson, Treasurer, Philip Warde, Adjutant General, John Rudyard, Quartermaster-General, and many others, in all 471. 2 *large sheets.* [*Col. Papers, Vol.* 32, *No.* 16.]

1655.

March 17. On board the Swiftsure, Barbadoes.

213. Vice-Adm. Wm. Penn to the Navy Commissioners. They may understand what a gallant passage the Lord gave us and both seamen and soldiers in health and in a quiet and cheerful posture. After his arrival on 29 Jan. seized all foreign ships and vessels found here trading contrary to the law which with those since came in ; 15 in all are fitted for transportation of the forces raised in the Island, being above 3,000 foot and 2 troops of Horse. Shall be necessitated to victual all these vessels out of our fleet, for from this island nor any of those to leeward can any provisions be had or hoped for, only a small quantity of flesh which is part of what the Navy Victuallers sent hither for sale, and which has been disposed of for the use of said levies. The great increase of the number of mouths made by this accession and the necessity that they must all depend and be sustained by that provision brought with us from home, will easily persuade them that our stock will suddenly be consumed and we driven to great straits and disadvantages if speedy and large supplies do not come, especially bread which cannot be sufficiently provided in New England though all the bakehouses there were constantly employed for that purpose. What provision they have to spare are usually brought to this Island for sale, where the inhabitants give excessive rates for all they bring so that we may be supplied at more easy prices from home and with more speed. The case being fully before them, prays them consider how much this great and honourable design is concerned in the care that shall be taken touching supplies and how easily it might become abortive through the want thereof. The non-arrival of the ships left behind in the river, and wherein are most of our arms and other necessaries very requisite, has occasioned our stay here thus long, but having with much difficulty procured 1,500 fire arms of the Islanders and some other things held absolutely necessary in carrying on the work, had fully determined

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to depart hence, though those vessels do not arrive, on the 24th inst., throwing ourselves upon the goodness and providence of God for the rest and hoping you will accompany us with your prayers and be motives to the people of God to become Petitioners to the Lord for his presence to go with us. P.S.—Find the old canvas brought very much decayed by the rains and dews in these parts, and if supplies be not made the ships will receive 20 times more damage through want than the charge thereof can amount to. *Encloses,*

213. I. Account of carpenters' and gunners' stores expended in fitting prizes for transportation of men, also account of what stores are needed in lieu thereof. *Together,* 3 *pp.* [*Col. Papers, Vol.* 32, *Nos.* 17, 17 I.]

March 19. Dover frigate, Barbadoes.

214. Lewis Hyres to Commissioners of the Navy. Sends duplicates by Capt. Collins of the Malaga, merchant of the men's tickets discharged since his departure from England. All the ship's company in good health. Has given in two muster books to be sent to them. ½ *p.* [*Col. Papers, Vol.* 32, *No.* 18.]

May 9.

215. Order of the Council of State for an allowance to Major Robt. Sedgwick during the time he was employed in the public service at New England and thereabouts against the French at the rate of 15*s.* a day, and directing warrants to be issued for payment of same. [*Dom. Interreg., I.* 76, *p.* 64.]

June 7. Barbadoes.

216. Commissioners for prize goods to the Admiralty Commissioners. Having been impowered by His Highness' Commissioners for managing the affairs of America to transact the business of the Prize Office in this Island, have seized some few Dutch ships and Hamburgers. Upon first entering into the employment, found many considerable debts due to his Highness for prize goods sold in the time of Sir George Ayscue almost four years since, for recovering whereof and such other contracts as they should make the Commissioners here empowered us to enquire after those debts and upon good evidence to condemn, and upon condemnation to grant executions for the same, which course on confidence of their power and ours derived from them we practised until it was declared against by the General Assembly as being against the law of England, since which we have foreborne and desire your direction therein, and as speedily as possible as the delay is already of great prejudice to His Highness's affairs, and will be much more if we be compelled to sue in the Courts for every debt formerly due or hereafter to be contracted by us. Desire to be advised what the practice is in the Prize Office in England and what acts are in force to warrant their practice, and in case the Prize Office can only sue for their debts due on contracts made by them in the Admiralty Court, as it seems by one Act we have seen, they conceive there is no Court of Admiralty in this Island, which if his Highness will erect and confer upon honest able men may supply this defect, and in other matters much advance his Highness's service. *Signed*

1655.

by Thos. Modyford, John Roberts, and Rich. Saunders. [*Col. Papers, Vol.* 32, *No.* 19.]

June 22. Barbadoes. **217.** Bond of Capt. Giles Pasfield, Mate, and Capt. Geo. Pasfield, Commander of the ship, Barbadoes merchant, in 1,000*l.*, that said Giles Pasfield shall, when required, appear before the Commissioners of the Admiralty in England, to answer what shall be objected against him by the Commissioners of the Prize Office of Barbadoes. *Witnesses,* Thos. Modyford, John Roberts, Peter Lear, and Rich. Saunders. 1 *p.* [*Col. Papers, Vol.* 32, *No.* 20.]

July 24. The Torrington, Jamaica. **218.** Vice-Admiral William Goodson to the Commissioners of the Admiralty and Navy. Hopes Genl. Penn will arrive before this, who will give account of having left 12 ships under Goodson's conduct; six of which were at sea, two left to ply off St. Domingo, one of which, the Selby, took a small vessel, and having taken out what they thought good, made a hole in her and turned her adrift, for which and other misdemeanours (the Captain) is cashiered at a Court of War (proceedings inclosed) and sent home in the Augustine. The Selby and Grantham came in on 28th June and are both careened. Capt. Vesci is dead and Capt. Blyth appointed in his room; in the Selby, Capt. Henry Powell, and in the Hound, Capt. Symon Evans, formerly Lieutenant of the Gloucester. Two small pincks taken at Barbadoes on the 5th July came in the Dover from Caymanos, and the Great Charity from England, by which received their Honors' packets to Genl. Penn and understood of some ships of war coming with provisions which will be welcome if good. Could have wished they had sent some flesh, poor-jack or stockfish, for they have none even to refresh sick men. The Falmouth came in on the 8th and the Arms of Holland from Caymanos, and on the 11th the Hound from the same place; they failed to meet with the French, but have saved a little turtle. Sends their "Diurnals." The 13th September the Portland "spent" her foremast, yards, sails, and all in a great sea, and in making a new one, find that the sap of the new masts, which have not lain two months in the water, is eaten by the worm like a honeycomb. By direction of Genl. Venables and Esquire Butler, Commissioners, has sent home the Marston Moor and Augustine, a victualler, and hopes in three days to sail with eight ships to lie before Carthagena and Portobello. The Falmouth and a Brigantine ordered to the north of the Island, to prevent correspondence between Cuba and the Spaniards of this Island who are mostly fled to that side, and to meet a party of our soldiers. Has received 3,000*l.* for what he has disbursed to the ships for victuals; sends herewith an account, also accounts of the victuals in the fleet at present, how many men dead since 25th June, what stores left by the ships that went home and what expended. Great want of boatswains', carpenters', and stewards' stores, and of provisions for sick men. Advises that no drink be sent but brandy in very substantial casks, and a little vinegar, for the cider wholly

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decays, and the beer grows flat or sour, all provisions must be very good and well saved or they perish in this country suddenly; *also* copy of same letter. 2 *pp.* [*Col. Papers, Vol.* 32, *Nos.* 21, 22.]

Aug. 14. Barbadoes. **219.** Tho. Modyford, John Yeamans, Ri. Saunders, and John Roberts, Commissioners of the Prize Office of Barbadoes, to the Commissioners for the Admiralty of England. On 2nd May last Ralph Woory, and Giles Pasfield informed they had seized the King David of Hamburgh for coming to the Island contrary to the Acts, and Pasfield undertook to preserve ship and goods for his Highness; but Pasfield has confessed that he sent 2 hhds. of wine and brandy on board his cousin's ship, the Barbadoes merchant, and certain sails, &c., are wanting (as by the oath of said Woory inclosed appears). Have reason to conceive that much more has been embezzled by him, in regard the invoice of goods found on her comes far short of what the Master and Merchants allege was upon her at the time of seizure. And further, said Pasfield having seized the Fortune of "Auquisen" [? Enkhuysen], suffered her to sink in the harbour, to his Highness' damage of at least 25,000 lbs. of sugar. *Annexed,*

219. I. Deposition of Erick Wrede, Commander, John Behn, Class Sure (cook), Jacob Honemester, and Roger Shapley, of the ship King David. That the ship belongs to Jerome Sincker, Daniel Brandess, Ber Mulder, John Rorus, and said Erick Wrede, all of Hamburgh; bound for Martinico, St. Christopher's, &c., with beef, pork, clothing, brandy, wine, &c., and was to return to Hamburgh, and that they came to this Island only for water. 1655, May 12.

219. II. Deposition of Ralph Woory, Solicitor General. On the 27th April last, seeing a ship with Hamburgh colours in Hawley's Bay, he went aboard and (in the hearing of Capt. Mott, the Provost Marshal) seized the ship to the Lord Protector's use, and ordered Capt. George Pasfield's mate and men to keep her. Capt. Mott brought the master of the ship to the Governor and demanded what power Dept. had to seize the ship; but Col. Modyford and Mr. Leer, Commissioners of the Prize Office, confirmed what he had done, and drew an order to Pasfield's men to keep the ship; whereupon Dept. went on board again, and the master not being on board, broke open his chest and took out such books and papers as he could find.

219. III. Depositions of Capt. Giles Pasfield and Caleb Elliot, gunner of Capt. George Pasfield's frigate. On 27th April last, seeing the ship King David "lying off and on as if she expected some intelligence from the shore," Pasfield went on board with four men and asked where they were bound; they answered, for Curaçao, and asked if they might water and if there were any other Hamburghers there; he answered he knew nothing against their watering, and there was one Hamburgher there, &c. They

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then anchored in Hawley's Bay, where the Provost Marshal, Capt. Mott, came on board, and after him Mr. Woorey who required Dept. to take charge of the ship; but Mott "commanded them to begone or else he would carry them ashore and lie them by the heels," whereupon they repaired on board their own ship. But afterwards warrant being brought by Mr. Woory, Dept., with nine or ten men, went aboard and seized the ship and goods, and keeps possession thereof to this day. And further, the King David at her coming in saluted the Fort with three guns. 1655, May 2.

219. IV. Inventory of the tackle, furniture, ordnance, &c. of the ship King David of Hamburgh, taken by Elias Pilgrim and Roger Larrance by warrant from the Commissioners of the Prize Office (at Barbadoes), and valued at 17,924lbs. of sugar, together with a receipt for same, and for three months' provision for 15 men, from Capt. Nicholas Shapley, dated 7th June 1655.

219. V. Invoice, appraised by Edward Collinson, Tho. Cooper, Ralph Woory, and Edw. Thornburgh, by order from the Commissioners of the Prize Office [of Barbadoes], of goods landed out of the ship King David, of Hamburgh, amounting to 69,609 lbs. of sugar. 1655, May 16.

219. VI. Charge of Ralph Woory, Solicitor, against Giles Pasfield. That whereas said Woory made seizure of the ship King David, of Hamburgh, in the name and for the use of the Lord Protector, and put said Pasfield and company in possession of said ship; said Pasfield purlioned wine, brandy, sails, and other goods belonging to said ship. And further that said Pasfield having order to deliver to said Woory the goods seized in the Manatee prize, refused to do it and let her sink. Also deposition of Roger Shapley, steersman of the King David, that said Pasfield carried away to his owner's ship the new mainsail and fore topsail of the King David. 1655, June 6. *Together* 8 *pp.* [*Col. Papers, Vol.* 32, *Nos.* 23, 23 I.–VI.]

Aug. 29. Boston, New England.

220. Robt. Wadeson, Thos. Broughton, and Wm. Crispin to [Commrs. of Admiralty?]. Send particulars of their proceedings as Commissioners for managing the affairs of America, for contracting for and buying provisions for the Army and Navy at Jamaica to the value of 10,000*l.*, and to draw Bills upon Rich. Hutchinson, Navy Treasurer, for payment. Suppose they have heard from Gen. Penn that they sent the Falcon Fly Boat, Adam and Eve, and Golden Falcon, the last losing her captain on the way from Jamaica to Boston to lade, but they were somewhat delayed for needful reparations, also for mills to grind corn and bakers to make bread, but hopes to give them quick dispatch. Have desired Mr. Broughton to lend one of his ships for the transportation. Have also drawn bills of exchange to the amount of 2,009*l.* 4*s.*, of which they have given notice to Mr. Hutchinson,

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and will give all further accounts on their arrival in England. 1¼ *pp.* [*Col. Papers, Vol.* 32, *No.* 24.]

Sept. 6. Marmaduke, Barbadoes Road.

221. Major-Gen. Robt. Sedgwick to the [Navy Commissioners.] Sailed from Plymouth 11 July and arrived safely with the whole squadron 27 Aug. "God was pleased to smile upon us in a very comfortable passage." There is no news from the leeward save what they heard by a dogger boat after the repulse at Hispaniola. "What since they have done we know not." Is this day setting sail in her to Jamaica to-day by order of Gen. Penn, and will touch at St. Christopher's to inquire after friends. "God in mercy direct us." Men's thoughts here are various concerning them. "I hope God hath brought down our confident spirits to fill us for some more noble work. When flesh begins to glory, it is mercy if God will stain the glory of it." Many think Jamaica a more considerable island than Hispaniola, and may effect more than the other. Has bought some provisions at reasonable rates, and there are some effects in the Prize Office to pay for them. Finds both soldiers and seamen active and willing and not discouraged, and therefore hopes God has yet a blessing for them, and that this design is His and that He will own it. Desires they will thank their honest brewer for supplying such good beer, and that he will find mercy for former offences for this his good service. 2 *pp.* [*Col. Papers, Vol.* 32, *No.* 25.]

Sept. 6. On board the State's Ship, Marmaduke, Carlisle Bay, Barbadoes.

222. Capt. Wm. Godfrey to Robt. Blackborne, Secretary to Commissioners of the Admiralty. Had a comfortable passage in this part of the expedition in the Western design. Arrived 26 Aug., and Major-Gen. Sedgwick having since taken in a supply of provisions for the army intends sailing to-day for St. Christopher's, and if no news present there of the fleet then to proceed to Jamaica. 1 *p.* [*Col. Papers, Vol.* 32, *No.* 26.]

Sept. 19. On board the Gift, St. Christopher's Road.

223. Capt. H. Maddison to Col. Clarke, Admiralty Commissioner. Arrived in Carlisle Bay, Barbadoes, 26 Aug., and sailed to St. Christopher's, 7 Sept., where he is staying to enable the Colonel to procure men to complete his regiment. Major-Gen. Sedgwick intends to sail to-day for St. Domingo and Jamaica according to instructions sent to Barbadoes from Gen. Penn. 1 *p.* [*Col. Papers, Vol.* 32, *No.* 27.]

Sept. 19.

224. Petition of Margaret widow of Major-Gen. Edw. Gibbons of New England, to the Lord Protector. Petitioner's husband, by victualling the State's fleet in Virginia and by losses in reducing that plantation, as also by piracy, together with many public services rendered in New England, where he lived 30 years, hath been so much impoverished that his whole estate, to the value of 4,000*l.*, is in the hands of La Tour, the late French Governor, for payment of which the fort of St. John, in the Bay of Fundy, was mortgaged, together with the plantations adjoining, which being taken by Major Sedgwick petitioner's husband, together with herself and family, have been wholly ruined and his creditors

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damaged. Was sent to England by her husband and has given attendance for half a year, during which time he died in New England. Beseeches his Highness to grant an order of reference to the Navy Commissioners to give a certificate so that some relief may be granted to her. "Oliver, P. We refer this petition to the consideration of the Commissioners for the Navy, wishing them to consider what course is fit to be taken for the petitioner's relief, and to report unto us their opinion concerning the same. 1655, Sept. 19." 1 *p.* [*Col. Papers, Vol.* 32, *No.* 28.]

Sept. 19. **225.** Order of the Council of State. That it be referred to the Commissioners of the Admiralty to give order for the speedy providing of the particulars after mentioned for the use of the English in Jamaica. These include spades, shovels, pickaxes, handbills, hatchets, and hoes; also clothes for the officers and medicaments; also that the two ships lately ordered be hastened away. *Signed by* Henry Scobell, Clerk of the Council. 1 *p.* [*Col. Papers, Vol.* 32, *No.* 29.]

Sept. 22. On board the Marmaduke, in the Old Road, St. Christopher's. **226.** Joshua Wilson to the Navy Commissioners. Had a comfortable passage to Barbadoes and arrived in Carlisle Bay 26 Aug., and remained until 7 Sept., our General in the meantime providing an additional supply of victuals to carry to Gen. Penn's fleet, as it is not known in what condition they are. 1 *p.* [*Col. Papers, Vol.* 32, *No.* 30.]

Sept. 26. Whitehall. **227.** Order of the Council of State. That it be referred to the Commissioners of the Admiralty to give order for a fit ship to convoy beyond Scilly Island a vessel bound for New England, wherein is Daniel Gookin employed in the State's service. ½ *p.* [*Col. Papers, Vol.* 32, *No.* 31.]

Sept. 27. Whitehall. **228.** Order of the Council of State. That the Commissioners of the Admiralty give speedy order for providing and shipping for the service of this Commonwealth the provisions and other things herein specified, which include 60 tons of beef and pork for 3 months for 2,000 men, bread, brandy, rice, spices, lampwick, tallow candles, two pinnaces or skiffs 20 and 30 feet long, sails, spars, axes, and hatchets, with one or two glaziers, smiths and masons with materials, coopers, carpenters, calkers, and armourers. 1 *p.* [*Col. Papers, Vol.* 32, *No.* 32.]

Oct. 10. Whitehall. **229.** Proclamation of Oliver, Lord Protector, giving encouragement to such as shall transport themselves to Jamaica. Whereas the Island of Jamaica is, by the providence of God, in the possession of this State, and the enemy found upon it fled into the mountains with intention to escape, save such as daily render themselves to our Commander-in-Chief; and we being satisfied of its fertility and commodiousness for trade, have resolved to use our best endeavours to secure and plant the same, and to this end make known, especially to the people of the English Islands and Colonies, the encouragements we have thought fit to give to those who shall remove themselves

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and their habitations thither within the time herein expressed. And first concerning security against the enemy, above 6,000 soldiers were landed there in May last, and in July a regiment of 800 men drawn out of our old regiments in England, with eight ships of war added to twelve others left there by General Penn under command of Capt. Wm. Goodson, and we shall take care to send both land and sea forces to secure the island against any attempt of the enemy. Those who remove thither will be under the immediate protection of this State, and so eased both of the danger and charge which other plantations are subject to. They shall have twenty acres of land, besides lakes and rivers, for every male twelve years old and upwards, and ten acres for every other male or female, to be set forth to them after six weeks notice of their remove. To have liberty for seven years to hunt and dispose of horses and cattle upon the island not marked by or belonging to other planters, subject to certain rules. To hold said land with houses, woods, &c., to them and their heirs for ever in free and common soccage for seven years, and then to pay one penny an acre, but no other rent, tenure, or service whatsoever. Said lands, on desire of the owners, to be confirmed by Letters Patent unto them, their heirs and assigns. To hold and enjoy all mines except of gold and silver, and all fishings within their bounds upon paying one-fifth part of pearls or precious stones, and one-tenth part of all metals in mines. No custom, excise, or duty to be paid for three years from 29 Sept. 1656, and not to be drawn into the wars themselves or their servants, unless in case of invasion or rebellion and for defence of the island. Power to build walls, bulwarks, and castles upon their own land for security of their plantations, and to arm themselves and servants against enemies or rebels under the directions of the Commander-in-Chief. All born within said island to be accounted free denizens of England, and to enjoy all the privileges as any natives of England. All transporting themselves within two years from 29 Sept. 1656, and professing the Protestant religion, to enjoy said privileges and advantages. And for the more certain carrying on this business our Commander-in-Chief of said island is authorized and required to take notice of the premises, and cause a due and effectual execution of same to the purport and true meaning hereof. 2 *large pages.* [*Dom., Interreg., I.* 76*a*, *pp.* 152–154.]

Oct. 10. **230.** Instructions to Richard Fortescue, Major-General of the Forces in America. To apply himself to the making of forts and fortifications in fit places to secure the island against any attempt of the enemy, particularly to strongly fortify the harbour of St. Jago, where the fleet first arrived. To take care that the soldiers who have lands for plantation be not severed too far asunder, but to be in a capacity to unite their strength as there shall be occasion. To inform himself of all harbours and landing places upon the island, and take care that soldiers and others shall have land next adjoining such harbours and landing places, and be engaged in making defensive fortifications thereon, especially within fifteen miles of St. Jago, which he shall endeavour to be

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well peopled and fortified at the State's charge, if he cannot get it done upon the account of particular planters. And until such places can be peopled and planted to take care that works be made to prevent the landing of the enemy. And although we do not understand your condition so perfectly as to the number and health of the soldiers or otherwise as to enjoin you by any positive commands to attempt further upon the enemy, yet considering the supplies both of men and provisions sent you beginning of July last with Major Robt. Sedgwick, we give you powers and instructions to be made use of according to your strength and opportunity, not doubting but you are sensible of the state of our present affairs in those parts, and how much it imports us and this nation that there be diligence and activity in those who have the managing of them. Power and authority to land his men upon territories claimed by the Spaniards, to take their forts, castles, and places of strength, and to pursue, kill, and destroy all who oppose them; Vice-Admiral Goodson to assist him with the sea forces, and that they both advise and consult together for the better carrying on the affairs committed to them, "The want whereof and of that union of hearts and councils which ought to be amongst persons so trusted hath been the occasion, amongst other things, of great miscarriages in this work." Power to offer reasonable conditions to any who will submit to our government, and to treat for the surrender of any fort or place for our use, with advice of said Commissioners. To give frequent account of his proceedings. Whereas all particulars cannot be foreseen, nor positive instructions given for emergencies, therefore on all accidents to use his best circumspection, and so dispose of the forces under his command that the Commonwealth receive no detriment. 2 *large pages.* [*Dom., Interreg., I.* 76*a*, *pp.* 154, 155.]

Oct. 10. **231.** Instructions to Capt. Wm. Goodson, Commander of the squadron of ships in America. To use his best endeavours by all opportunities to seize all ships belonging to the King of Spain or his subjects in America, or of any other enemies or rebels to this Commonwealth, with their goods and monies, and in case of resistance to sink, burn, and destroy them. All seizures thus made to be preserved without embezzlement and delivered to his Highness's Commissioners, who, with a trusty person appointed by himself, is to set a due valuation upon them; and that he take a receipt for same that the seamen be satisfied how much to expect from the State for their shares. To seize all ships trading contrary to the Act of Parliament of 3 Oct. 1650. To preserve the honour, jurisdiction, territories, and people of this Commonwealth. To take care that all instructions as to matter of discipline and well ordering of the fleet be put in execution. Power, with consent of a Council of War, to suspend officers under his command, and give commissions for places vacant by death or otherwise. To wear the jack flag at the maintopmast head. To give frequent notice of his proceedings to the Commissioners of the Admiralty and Generals of the Fleet, and receive directions from them. To supply and succour the Army to the best of his power upon all occasions. To join

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with the land forces in any attempt made in pursuance of instructions given to Maj.-General Fortescue, who will also afford him assistance, and that upon all occasions they consult together, as also with the Commissioners and others concerned touching the carrying on of our affairs both at land and sea in those parts, and to use his best endeavours to maintain love and a good understanding. Authority to land men upon any of the possessions of the King of Spain in America, or other enemies or rebels to us and this Commonwealth; to seize their places of strength and ships, and use all other acts of hostility. To use his best endeavours to gain intelligence from places in possession of the enemy, to communicate same to Maj.-Gen. Fortescue and the Commissioners, and to consult together how it may be improved to the best advantage. Power to arrest and use any ships to whomsoever belonging he finds necessary for said services, giving them reasonable satisfaction. To give frequent intelligence of his proceedings so that he may receive further directions if there shall be occasion. To use his best endeavours to get provisions for the fleet from Jamaica and those parts, and to supply himself from New England or other places and charge bills for same upon the Treasurer of the Navy in England. 2 *large pages.* [*Dom., Interreg., I.* 76*a*, *pp.* 155–157.]

Oct. 10. **232.** Instructions to Maj.-Gen. Richard Fortescue, Vice-Admiral Wm. Goodson, Major Robt. Sedgwick, Daniel Searle, and (*blank*) Stoakes, Commissioners for governing our affairs in America. Rich. Fortescue and William Goodson to assist each other according to their instructions, and Dan. Searle, Robt. Sedgwick, and (*blank*) Stoakes, to advise said Fortescue and Goodson in the execution of their trusts according to their instructions. All prizes to be preserved for the public service, a perfect account kept, and to be disposed of for carrying on the present service. To secure by the best means the interest of this Commonwealth in Jamaica, and to make from time to time constitutions and orders, and appoint officers and ministers for the good government of the people, and to cause justice to be administered "in our name and style, and to use and preserve same in all commissions, writings, instructions, and other proceedings." To endeavour the promulgation of the gospel of the Lord Jesus Christ, and the power of true religion and holiness, and the suppression of idolatry, popery, superstition, and prophaneness, and set apart and apply to that purpose from what shall come into their hands upon the public account as they find necessary. And whereas we are informed of the horrible prophaneness and wickedness of very many of the soldiers and others belonging to the army "whereby the Lord hath been justly provoked to leave us a reproach to our enemy at Hispaniola," to use their utmost endeavours for the punishment and suppression of vice and prophaneness, and upon all occasions to bear witness effectually against the same. To publish proclamations in our name, to invite the natives to submit to our government, and on submission to encourage them to live peaceably, and instruct them "in the knowledge of God and Christ." Power to administer oaths. To hold constant corre-

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spondence with Barbadoes and other English plantations, and one of themselves, or other fit person to remain at Barbadoes to attend the service of our affairs. To appoint officers under them with fitting salaries. Power to commit to prison any disobedient to their orders, and to impose reasonable fines upon the refractory. Directions for the taking due inventories of all prizes and prize goods, and selling the same, the moneys so raised to be put to account for the use of his Highness and this Commonwealth, with power to expend the same for the better carrying on the affairs in which they are employed, all accounts to be produced and entered in the Court of Admiralty. And whereas we have resolved to use all possible endeavours to people and plant Jamaica, and to that purpose have dispatched Daniel Gookin to New England with instructions to make propositions to those who may be inclined to remove to Jamaica to cause agreements to be made with those people willing to transplant themselves, and certified by said Gookin, and all other encouragements to be given to them. And whereas we have published the terms and conditions to be granted and have also by patent granted to Martin Noel, merchant of London, twenty thousand acres of land in Jamaica, with certain privileges, to cause same to be executed and observed on our part, and so see that their part be likewise performed. To admit any other people of this Commonweath who are Protestants to plant upon said island on the conditions of said Proclamations [*see ante, No.* 229] or granted to said Martin Noel, which we shall ratify and confirm. To cause said conditions to be proclaimed in the islands and plantations in America, and use all means to invite people to plant upon Jamaica. To inform themselves of all harbours and landing places; directions as to soldiers who become planters [*same as to Maj.-Gen. Fortescue*]. As to hunting and taking of horses and other beasts, to give such directions from time to time that the stock be not destroyed, so great numbers now being yearly killed for their hides and grease. That stores and provisions be justly distributed, and to provide the fleet with flesh and necessaries. To send convenient shipping for those wishing to come and plant, provided it can be done without prejudice to any design upon the enemy. They will receive a particular of the stores and provisions sent by the four ships in May last, and those sent in July under command of Major Sedgwick, for which they are to account how disposed of. To use their best circumspection on all occasions for which they have no positive instructions for securing and enlarging our interests in those parts. 4½ *large pages.* [*Dom., Interreg., I.* 76*a*, *pp.* 158–161.]

Oct. 20. **233.** Order of the Council of State. That the Commissioners of the Admiralty and Navy take care that the fitting of the Marston Moor be hastened and dispatched for Jamaica with the first fair wind, if possible, and that Mr. Secretary Thurloe be desired forthwith to prepare and get in readiness the letters and instructions for Jamaica, to be sent by said Marston Moor. [*Dom., Interreg., I.* 76, *p.* 339.]

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Nov. 2. Whitehall.

234. Order of the Council of State. That the Commissioners of the Admiralty give order for payment of two bills, one drawn by Capt. John Leverett for 500*l.*, the other by Wm. Crispin, Robt. Wadeson, and Thos. Broughton, Commissioners for supplying Jamaica, for 190*l.*, both being for provisions delivered at Boston, New England, for supply of the fleet and army in Jamaica. *Signed by* W. Jessop, Clerk of the Council. 1 *p.* [*Col. Papers, Vol.* 32, *No.* 33.]

Nov. 6. Jamaica.

235. "An account of what stores are in Jamaica for the use and service of the Commonwealth's ships of England under the command of Captain William Goodson, Admiral," in alphabetical order. 4 *pp.* [*Col. Papers, Vol.* 32, *No.* 34.]

Nov. 14. Jamaica.

236. Major Robert Sedgwicke to (the Commissioners of the Admiralty). Arrived with their whole squadron 1st October last, having lost but few men between Barbadoes and this island, including Capt. Fenn of the Wildeman, and Capt. Maddison of the Gift. The ships at sea proved well conditioned and tight. Found both Commissioners and both Generals gone, "and not any sign remaining that ever there was a Commissioner in these parts of the world." The fleet here is commanded by Adm. William Goodson to whom in Gen. Penn's absence he resigned his sea command, and the army by Major-Gen. Fortescue. After some few days' debate they drew up the enclosed instrument by which they acted in public business. Though provisions had been expected every day, there was no shelter to receive one ton of goods; but, "with the activeness" of the seamen, in 6 or 8 days they finished a house 100 feet by 25, and in 16 day unladed the merchantmen and housed the goods without the help of the soldiery. There are some days of demurrage, spent at Barbadoes and St. Christopher's, which could not be avoided. Knows Adm. Goodson has given their Honors a satisfactory account of the fleet, but the army is in a very sad condition. Major-Gen. Fortescue died after they had been here 20 days, and many of the other commanders are dead or very sick; 50 of the new soldiers that came with him are dead, and two captains, one lieutenant, and two ensigns, and their colonel and lieutenant-colonel sick. Fears that no account of the State's stores here will ever be attained to in this world. At his first landing found the whole shore covered with butts, barrells, and chests of dry goods, as clothing, arms, surgeon's chests, &c., lying exposed, to all the damages imaginable, when a week's time with soldiers or sailors would have built a house to have received them all. Is very sensible the Commissioners can give but a lame account thereof, for "I am certainly affirmed" that soldiers have offered to sell dozens of shoes for 12 pence the pair, new and good; many prizes were also brought hither from Barbadoes, and no order left how to charge any man with the stores. "Here is not so much as the show of any Commissioner that hath been in these parts; nor no account left by the Secretary to the Commissioners, whose papers,

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it is reported, the Lady Venables seized into her hands." Will endeavour to keep account of what comes to hand in his time, and is about calling to account any that he hears have been employed in any public business; knows the army has swallowed up much. Has sold 5 old prizes that lay rotting, for 500*l.*, to be paid in goods and provisions, except a bill of exchange for 155*l.* to the Treasurer of the Navy. Concerning the wines arrived in Capt. Crowden's ship, they have disposed of 60 butts to the army and 170 to the fleet, and laid up the rest in store; the fleet had no need of them, being already victualled in drink for 8 to 12 months, but how to dispose of them better they knew not. The provision allowed the soldiery is ½ lb. bread a man per day, a pint of oatmeal, a pint of peas, or a pound of flour per day to four men, and one butt of brandy more to each regiment, at which rate the provisions may serve 5 or 6 months. Their Honours must think of a supply of provisions, for the soldiers, except some few, will not work. 200 barrels of powder in an old ship belonging to the army they have divided among the fleet, conceiving they have more on shore than can be expended while good. The arms and ammunition brought for the army they yet keep on board, knowing them to be better there than on shore. The beef and pork they bought at Barbadoes was marvellous acceptable. "What God will do with us here I cannot tell. He at present seems highly displeased, and shatters us and breaks us to pieces, and in destroying goes on to destroy us, but I hope will spare and pity a poor sinful people." Questions not that Admiral Goodson acquainted them of his business performed at St. Martha, which though honorably performed produced little profit to the State, the contract being that the seamen and soldiers should have half what they took; but what was taken sold but for 400*l.*, to balance which the State had 30 pieces of ordnance, and some powder, shot, hides, salt, and Indian corn. Must say he thinks "this kind of marooning cruizing West India trade of "plundering and burning of towns, though it hath been long practised in these parts, yet is not honorable for a princely navy, neither was it, I think, the work designed, though perhaps it may be tolerated at present." Are building a fort at the harbour's mouth, and 9 or 10 guns are mounted. Begs them to further his return home, his constitution agreeing not well with this climate, fears he shall not long trouble it, but he goes ashore not oftener than business calls him. "I beg your prayers, we all need them, our condition calls aloud to you, the Lord make you prevail for us." 5 *pp.* [*Col. Papers, Vol.* 32, *No.* 35.]

Nov. 14. Jamaica.

237. Major Robt. Sedgwicke to [Navy Commrs. ?]. Arrived Oct. 1, and in our passage God was pleased to smile upon us, though at the last mixt with some humbling providences by the loss of about 30 seamen and soldiers by the Flux, amongst which were Captains Maddison and Fenn, whom we left sick at Barbadoes, and, as we hear, are since dead. Our ships and provisions proved generally good. We dispatched our merchantmen, though by reason of our stay at Barbadoes and St. Christopher's, and the want of housing

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to receive goods until we built them, exposed us to some few days of demurrage. The goods generally came out good and according to invoice save some biscuit bags and 100 cwt. of wire. Questions not but Admiral Goodson gives a full account of his proceedings since Gen. Penn's departure, as also of the present state of the Fleet, and his acting at St. Martha. We have been agitating about the Fleets going out again, but divers occurrences have hindered; hopes, however, we may come to a resolve within two days. The state of our Army is sad, as God has visited us with a sore hand of sickness, tearing and snatching us away in much displeasure. Major-General Fortescue, Commander-in-Chief, died about 14 days since; believes since he came to this place not less than 700 men are laid in the grave; the greatest part of the Army now sick, and many of our new Regiment that landed in much health, about 50 of them dead. Unless God in mercy stay his hand it will be very sad with us. Concerning this Island, it seems to present itself in a capacity to produce any commodity that other Islands do. Here hath been and are store of cattle of all sorts, but our soldiers have destroyed many of them, the rest being grown thereby more wild, and so more difficult to take, which before by the Spaniards were most of them kept under command. The Harbour very convenient for much shipping and may be commodious for any design in the Indies, if there be future intentions this way. We have sent home a bill of exchange to the Treasurer of the Navy for 155*l.*, for one moiety of a prize sold. As for the account of the delivery of all kind of provisions and stores, hopes he may give a satisfactory account, but as yet what came in the State's ships is still on board. Finds all manner of accounts here for stores belonging to the State in a strange posture, by reason of men deserting and others dead, so scarcely knows how to begin that work although entering upon it, but hopes there will yet be some care had for this poor distressed Army for provisions, or else fears they may suffer, for the soldiery cannot be brought to plant, or at least very little. What God will do with us he best knoweth. I am willing to hope he will yet pity us. Our case and condition calls for your commisseration and prayers. 2¼ *pp. Also copy.* [*Col. Papers, Vol.* 32, *Nos.* 36, 37.]

Nov. 17. Whitehall. **238.** Order of the Commissioners of the Admiralty. For making out three bills, amounting to 779*l.* 12*s.* 9*d.*, for provisions for the use of the English in Jamaica; one signed by General Penn and Comr. Gregory Butler and two signed by W. Crispin, Robt. Wadeson, and Thos. Broughton, and placing them to the account of the several persons who drew said bills. *Signed by* John Disbrowe, John Clerke, and Thos. Kelsey. 1 *p.* [*Col. Papers, Vol.* 32, *No.* 38.]

(1655.) **239.** "Proposals of certain ships for the West Indies, and other necessaries for Fleet and Army, humbly represented by (Vice-Admiral) William Goodson." There should be 14 frigates and 3 ketches, well sheathed and carefully coppered. Stores for boatswains, carpenters, and gunners to be extraordinarily good, and double or more than the ordinary allowance. Provisions to be very good and "saved" as for the East Indies; also flour, peas, and

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biscuit, or they suddenly decay in this country. All liquor casks to be of more than ordinary substance. Surgeons to have fresh supplies every 6 or 8 months, and double allowances of necessaries for sick men. The ships to be manned as in the Channel, and public declaration to be made what number of servants every officer shall carry, and that all servants shall be 16 years of age, that the Service suffer not by numbers of useless boys. Two frigates and a ketch to lie before St. Domingo, 5 and a ketch before Carthagena, 5 before Havana, and 2 and a ketch in the North Keys of Cuba. Those three to windward to impede the trade and give intelligence of the arrival of any Fleet; those off Carthagena to intercept trade with Spain, Angola, Caracas, &c., and be ready to the assistance of Jamaica; those on the north side of Cuba to intercept the trade of Santiago. Carvello, Principe, &c., and also that between the Canaries, Spain and New Spain, and Havana. If the Spanish Fleets attempt nothing upon Jamaica, all the squadrons may meet at the Dry Tortugas to intercept them "in their conjunction homeward" at the Havana. There should be kept always a magazine of cordage, sails, tar, &c.; also a "Master of Attendance" appointed, by whose order stores may be delivered, with a boatswain, storekeeper, carpenters, boatbuilders, which would not only supply their own shipping, but invite all private men-of-war to Jamaica; also sealed measures sent to the Steward General, and a plumber sent to make cisterns for oil and tar. On account of the Army,—That the Fort already made of timber and shingle, be built of stone, and others made at Ports Morant and Anthony, for all which 5,000*l.* is the least that can be sent. Provisions should be "suddenly" sent for 6 months, and after that the soldiers may "live of themselves;" also a supply of shirts, shoes, and drawers, of which those first sent were in want at his departure. New powder should be sent, and the old brought back to be new made. Both Army and ships in want of iron, steel, and coals, Some Surgeons and their "means" should be sent, also hooks. lines, and twine for tortoise nets, and some "extraordinary" axes, hatchets, and bills, and some honest knowing man employed in the buying of them; also some Scotch servants, who would be every way as serviceable for defence as soldiers, and some Godly ministers with monies for their maintenance and that of Surgeons and Penmen. That there be some expedient found whereby the Governor of Barbadoes may cordially affect this design. 6 *pp. Endorsed,* "1655, *&c.*" [*Col. Papers, Vol.* 32, *No.* 39.]

(1655?) (Jamaica.)? **240.** List of men, well and sick, women, and children in the General's regiment, the Major-General's, Col. Carter's, Col. Buller's, Col. Doyle's, Col. Holdippe's, and Col. "Humphere's," amounting to 2,194 well, 2,316 sick, and 172 women and children. ½ *p.* [*Col. Papers, Vol.* 32, *No.* 40.]

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Jan. 15. Whitehall. **241.** Order of the Council of State. That it be referred to the Commissioners of the Admiralty and Navy to take order for the transportation of Mary Ramsey and her two children and two servants to Jamaica, and to allow them diet which was also ordered

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for other wives formerly sent to their husbands at Jamaica. *Signed by* W. Jessop, Clerk of the Council. ½ *p.* [*Col. Papers, Vol.* 32, *No.* 41.]

Jan. 18. Whitehall. **242.** Order of the Council of State. Wm. Crispin, Robt. Wadeson, and Thos. Broughton, Commissioners for Provisions for the Fleet and Forces at Jamaica, having drawn on Rich. Hutchinson, Treasurer of the Navy, for 340*l.*, for provisions delivered at Boston, New England, for supplying said fleet and army, said bill is ordered to be accepted and payment made. ½ *p.* [*Col. Papers, Vol.* 32, *No.* 42.]

Jan. 21. Jamaica. **243.** Account of stores remaining in the State's storehouse in Jamaica for the Fleet under the Honble. Capt. Wm. Goodson, Admiral. Also account of stores received from the carpenter, boatswain, and steward of the Marston Moor, and list of sails for the Grantham and (?) Selby. 9 *pp.* [*Col. Papers, Vol.* 32, *No.* 43.]

Jan. 24. The Marmaduke (Jamaica). **244.** W. Aylesbury to Robert Blackborne, Secretary to the Commissioners of the Admiralty, Whitehall. Since the arrival of the Marston Moor, 15th current, has had a sore fit of sickness and is utterly unfit to write, otherwise has much to say of their condition. All the Army endures proceeds from their own neglect: "never saw, as to the general, men of such mean spirits; having missed what they aimed at at first, they regard neither their own nor public honor." Is established Secretary in the place of Mr. Cary from the time of his arrival, and has as much free converse with the Admiral and Commissioner as if they had been bred together. Begs him to communicate this to his cousin Dayrel (?). 1 *p.* [*Col. Papers, Vol.* 32, *No.* 44.]

March 7. Whitehall. **245.** Order of the Council of State. That the report of the Committee of the Council on the accounts and demands of Capt. Crispin, Robt. Wadeson, and Thos. Broughton, for provisions taken up at New England for supply of the fleet and forces at Jamaica, be referred to the Commissioners of the Navy to examine, and to consider the prices and give account to the Council with all speed, also to inform themselves how said provisions have been put aboard the Falcon flyboat and the Adam and Eve and the Golden Falcon have been disposed of to the end it may appear whether they were delivered at Jamaica, and into whose charge. Signed by W. Jessop, Clerk. 1 *p.* [*Col. Papers, Vol.* 32, *No.* 45.]

March 8. **246.** Order of the Commissioners of the Admiralty and Navy. In pursuance of an order of his Highness's Council of 7th inst. that the Commissioners for the Navy examine and state the accounts and demands of Capt. Crispin, Rob. Wadeson, and Thos. Broughton, and pursue the directions of the Council. *Signed by* Thos. Kelsey, John Clerke, and Edw. Hopkins. ½ *p.* [*Col Papers, Vol.* 32, *No.* 46.]

March 12. Jamaica. **247.** Account of stores in the State's storehouse in Jamaica for the service of the ships under the command of Capt. William Goodson, Admiral, arranged in alphabetical order. *Signed by* Rich. Rowe. 5 *pp.* [*Col. Papers, Vol.* 32, *No.* 47.]

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March 12. The Gift, Jamaica Harbour.

248. Capt. Mark Harrison, of the Gift, to the Commissioners of the Admiralty, at "Whight Hall." Commanded by the Admiral, sends enclosed lists of his boatswain's, gunner's, and carpenter's wants, the chief being sails, with which they were but meanly fitted at their coming out. But there is one want more, without which they are in poor capacity to make use of the rest, and that is men. In the Dutch war the ship was allowed 130, and now but 80, of which they usually have 15 sick and as many more on recovery, "who are indeed very poor creatures," besides boys and trownsers, so that both watches can hardly hand on topsails, or man two boats in harbour. *Encloses,*

248. I.–III. List of carpenter's, gunner's, and boatswain's stores wanting for the Gift. *Signed by* John Auger, George Browning, and Wm. Noble, March 11, 1656. 4 *pp.* [*Col. Papers, Vol.* 32, *Nos.* 48, 48 I.–III.]

March 13. The Torrington, Jamaica.

249. Vice-Admiral William Goodson to the Commissioners for the Admiralty. Before Genl. Penn's departure, a small vessel called the Red Horse was taken off Hispaniola (by the Grantham), out of which Capt. Lightfoot took 150 Spanish hides and put them aboard Vice-Adml. Lawson's dogger, which he says he did for supply of the vessel, and that he would be accountable to their Honors for it; he also took 25 hides out of the Spanish vessel taken by Capt. Clarke and himself, for his own use. This has been referred by a Council of War to their Honours. *Two copies.* ½ *p.* [*Col. Papers, Vol.* 32, *Nos.* 49, 50.]

March 13. Jamaica.

250. Capt. Ja. Tarry to the Commissioners for the Admiralty. Gave account from Barbadoes of their proceedings thither: arrived here February 8th; the Marston Moor and Cardiff came before them; the Lyon and Success 14 days after; have 25 men sick, one drowned, and one dead since. ½ *p.* [*Col. Papers, Vol.* 32, *No.* 51.]

March 13. Aboard the Success, Jamaica.

251. Capt. Za. Browne to same. Arrived in company with the Lyon, 26th last. Touched at Nevis for water; the Governor informed him that the Lord Protector had ordered him to draw what people he could from those "Weather Islands," and that 500 men upon that island were ready to embark to leeward with their families. Perceived a great willingness in many of them; the Governor being very inquisitive what shipping were making ready for their transportation. Could only tell him great preparations were making in England, but where designed it was not for him to know. Have discharged their goods according to order. 1 *p.* [*Col. Papers, Vol.* 32, *No.* 52.]

March 13. Torrington, Jamaice.

252. Vice-Adm. Wm. Goodson to the Navy Commissioners. Sends duplicate of his letter by the Wildman on 26th Jan., stating that he has had 5 ships lying for some time between Carthagena and Portobello, but that they took nothing; others however off the island took 20 scattered Spanish men and women from whom they have intelligence. There were but few of their number left in the island and they were so sickly and in great want of

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necessaries that they dare not resist 50 English, but that when the negroes found any English straggling in the woods they butchered them with lances. That a vessel had arrived from Carthagena with corn and wine, and had informed them that if they would all unite, the Governor of Carthagena had resolved to send 1,000 men to their assistance to beat the English off; but that was not credited as there were not above 1,000 soldiers in the king's pay in the towns and castles. Notwithstanding has sent the Arms of Holland, the Cardiff, and other ships to prevent it. Has heard nothing of the Spanish Fleet reported from England as designed for the Indies. Has had all the ships left by Gen. Penn careened, except the Hound, useless, and sends account of stores expected from New England. The various crews went through great hardships through the defective state of the provisions; is in great need of a recruit. To be engaged for 4,800*l.* is a serious matter to one who never before did the like for 100*l.*, and unless he has some satisfaction or is called home he will ultimately have to be in prison, and, if removed by death before being heard, will leave a ruined family. Received 3,105*l.* left by Gen. Penn and has spent 2,005*l.* 16*s.* 0*d.*, thereof in paying the seamen's short allowance at 7*d.* per day each, and other disbursements have reduced it to 797*l.* 11*s.* and for which he desires order. Capt. Willgress of the Falmouth has resigned his commission rather than stand the trial of a court-martial for swearing and drunkenness, and Lieut. Saunders, brother of Capt. Saunders of the Dover, has been appointed in his room. *Encloses*,

252. 1. Accounts and demands for provisions and stores. *Two copies.* 3 *pp.* [*Col. Papers, Vol.* 32, *Nos.* 53, 53*1*, 54.]

March 22. (Jamaica) ? **253.** Robert Dickenson to his cousin, Robert Blackborne, near Whitehall. Received his of the 15th. Was glad to hear his letter came opportunely to give him a true narrative of "that sad tragedy." The murderer had a legal trial, was found guilty, and executed 21st inst. and died very penitent, and most of all troubled that he had killed one that had the good report of all; the other was acquitted. Major-Genl. Waley made a speech to the whole Bench that neither my Lord Protector nor he countenanced any such actions in the soldiers, and so left him to the law, which gained him much credit, many imagining he would have interposed for his freedom. "My aunt, your mother," gives many thanks for his comfortable letter. She is still very sad, though she has many causes of comfort. Presents his own, wife, and mother's services, &c., to him and his wife, "with many thanks for my son." 1 *p.* [*Col. Papers, Vol.* 32, *No.* 55.]

April 3. **254.** Order of the Commissioners of the Admiralty and Navy. That in pursuance of an order of the Lord Protector and Council of 26th March, copy annexed, the Commissioners of the Navy make out bills for the several sums therein mentioned due upon the bills of exchange recited in said order as are not already accepted and paid. *Annexed*,

254. 1. The Order of the Council of State above mentioned. Whitehall, 1656, March 26.

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254. II. Various mem. and figures referring to the above. *Together*, 6½ *pp.* [*Col. Papers, Vol.* 32, *Nos.* 56, 56 I., II.]

April 19. Holb[orn]. **255.** Mr. Jessop, to Robt. Blackborne, Secretary of Commissioners of the Admiralty. Is commanded by the Lord Commissioner Fiennes, and Gen. Desborow, to give notice to the Admiralty Commissioners that they have appointed next Monday to consider the petition of Mr. De la Tour concerning the forts taken from the French about Newfoundland, and as the accounts of Major Sedgwick and Capt. Leverett concerning that business should be laid before them, desires he will get them ready. 1 *p.* [*Col. Papers, Vol.* 32, *No.* 57.]

April 30. On board the Marmaduke, Jamaica. **256.** Capt. Wm. Godfrey, to the Commissioners for the Admiralty and Navy. Has remained in Harbour ever since he arrived, conceiving it is merely for the accommodation of Commissioner Sedgwick who hath continued always on board. If he had his choice would rather be cruising abroad in a small frigate than in a great ship that will not turn to windward. She has 42 guns and is poorly manned, there being as many gunners as seamen. Except he receives a new supply of seamen we shall be hard put to it in getting home. 1 *p.* [*Col. Papers, Vol.* 32, *No.* 58.]

April 30. Marmaduke, Jamaica. **257.** Capt. Wm. Godfrey to Robt. Blackborne. Sent account of proceedings by the Grantham which sailed 14 March, as also of God's goodness in stopping the raging fury of mortality in the Army which is almost destroyed. If he may speak his thoughts, believes the soldiers were much bound up with thoughts of their own strength, not considering the power of God's ability, and with covetous expectations of Indian treasure. As yet no planters are come down to them, our soldiers are too much addicted to sloth, and would rather famish than use means of preservation. A few days since a number of them revolted, but most of them were retaken and three of the ringleaders hanged. Most of the Spaniards have deserted the Island and now and then we receive opposition from the negroes and mulattoes who slew about 40 of our soldiers about a month since. There is great want of seamen to supply the places of those dead, and provisions are getting scarce, not having above 4 months in the fleet. There are 11 sail abroad with the Admiral. 1½ *pp.* [*Col. Papers, Vol.* 32, *No.* 59.]

April 30. Gift, Jamaica. **258.** Capt. Mark Harrison to the Admiralty and Navy Commissioners. Sent account by his last of the condition and wants of his ship, in stores and men, since which his condition has been worse through sickness and his few men have become children. The Admiral has gone to Carthagena with 10 sail. The soldiers are being employed by the Commissioners in planting, and it not being relished by many, about 25 of them ran from their colours but were retaken and some of them executed. A party of soldiers lately fell upon some negroes as they were in Council and killed eight, the rest escaping save one woman, which is the first service they have done upon the enemy since his arrival, and it is supposed they were

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the negroes who killed so many of our men. There are 10 sail at present in harbour. *Two letters. Together, 2 pp.* [*Col. Papers, Vol. 32, Nos. 60, 61.*]

April 30. Indian, Jamaica.

259. Capt. Ja. Tarry to Robt. Blackborne. The frigates sailed a month since intending something against a place called Realdy Hatch. Last week 30 soldiers ran away but were retaken and three hanged as an example. A party of soldiers also fell upon some plantation negroes, killed eight and took a boy and a woman. ½ *p.* [*Col. Papers, Vol. 32, No. 62.*]

June 24. Torrington, Jamaica.

260. Vice-Admiral Wm. Goodson to the Admiralty Commissioners. Received his letter with the three ships with provisions, some good and some bad. Set sail 15 April with 10 of the best ships for Hispaniola in hopes of meeting with some of the Spaniards, but not encountering any stood for the main and landed upwards of 450 menat Rio del Hacha. The people having six hours sight of us be fore our arrival fled out of the town, carrying their wealth with them, leaving only 12 men to secure a castle which our men stormed, and in less than half and hour had possession of. There were four brass ordnance of about 4,000 lbs. each which we brought away, and demolished part of the fort. Departed 8 May, being retarded a day longer than we determined upon pretence of the Spanish redemption of their town which upon their non-compliance we burnt. Arrived 11 June at St. Martha, stayed to water until the 13th, and upon departing chased and took a small ship from St. Luca with wine bound for Carthagena. Encloses copy of her cargo. She reported that she set sail in company with the Nova Spania Fleet of 28 sail on 29 February (10 March), four bound for Angola, besides others to scattering ports in the Indies, and three Flemish ships for St. Domingo which carried a new Governor and 500 soldiers. Of those ships which came out for Nova Spania there were also four galleons with four great merchantmen manned as galleons by the King and others of smaller force, but meeting with a storm were forced to bear for Cadiz. Has sent over the Captain, Sweetes, son of a late English Merchant in Seville. Anchored 14 May in view of Carthagena where were six ships, but not being able to do anything upon them and having under consideration whether these ships might not be intended for Jamaica made us desert the coast and bend our course for Jamaica leaving the Admiral and two other ships lying upon the coast to intercept any scattering ships that might come thither. On the way took a small vessel bound from Domingo for Nova Spain. Had advise of the arrival of the new governor and 500 men, and that the ships of Nova Spain only stayed to water at Porto Rico. Arrived there 23rd, and found Major Gen. Sedgwick very sick, and he died the next day, he truly feared God, was of singular use in this work, and generally beloved by the soldiery. The Vice Admiral arrived 3 June from the other side. The Portland and Falmouth also chased another on to a drowned Island near Rio de Grand, and sent a boat on shore after her, but she was staved all to pieces and the boat's crew had like to have perished. Upon notice given from Governor Stokes of himself

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and the people of Nevis their intention to transplant themselves hither, dispatched three ships for their transport, and 4th June a vessel arrived from the Governor with three gentlemen to treat with us concerning shipping and to view the country. Afterwards fitted out a small vessel to carry back our resolutions of sending ships for about 1,000 people besides women, children, and servants. The Marmaduke, Mary flyboat, and the Adam and Eve since sent, and 14 others appointed to lie between Cape St. Antonio and the Havana to encounter any ships from Carthagena, Nova Spain, or elsewhere bound for the Havana, and others appointed to keep this Port and to lie upon the Coast. Great complaints of the bread sent over in old liquor casks by which the major part is spoiled and the casks are generally so bad that much of the provisions and stores have been damaged. Also great increase of vermin such as cock-roaches, weevils, ants, earwigs, mites, and such like, and not sufficient carpenters sent in the ships to do the necessary repairs and make boats. Could wish it were considered the great deal of carpenters work required in these parts, as also the disease and mortality incident to men forced to work in the heat of the sun, that many ships sent with old boats fitter for a carpenter's yard than a twelve months' service. Capt. Hen. Harris died here on 30th May, has appointed Capt. Bunn to accompany these. Has formerly given an account of the ships required for these seas, which is a more ticklish piece of navigation than is understood by most men, and sent from 80 to 100 prisoners in the ships to St. Christopher's for detention until his Highness's pleasure is known, including five or six captains of small forts taken. Hears from St. Domingo that they have about 26 or 30 prisoners, some officers kept close prisoners, the rest have liberty to go up and down to work for bread. "Rec^{d} 12 Sept. 1656." 3½ *pp. Incloses,*

260. I. List of ships appointed to lie between Cape Antonio and the Havana, also those to the windward of Jamaica. Total No. 25. 1 *p.*

260. II. Surveys of the ships Convertive, Gloucester, Bear, Dover Frigate, Mary flyboat, Torrington, and Welcome, signed by the respective officers of each ship. 1656, June 8–12. *Eight papers.* 12 *pp.*

260. III. Account of stores remaining in the State's storehouse at Jamaica. 1656, June 21. [*Col. Papers, Vol.* 32, *Nos.* 63, 63 I.–III.]

June 30. Marmaduke, Jamaica.

261. Capt. Godfrey to Robt. Blackborne, Secretary to Commissioners of the Admiralty. Is sorry to acquaint him that by the pale hand of death on 24 May they were deprived of Major-Gen. Sedgwick, and three days afterwards Capt. Leonard Harris, of the Great Charity, was taken from them. Mortality has not yet left off reigning here. Our perplexed condition much aggravated by commotions and discords. Wishes the spirit of love were more deeply stamped upon them. Our Admiral and the rest of the ships are come safe into harbour, also two small prizes. They took a town called Rio del Hacha, without the loss of a man, it having

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only one fort mounted with 4 pieces of brass ordnance, which he brought away, after firing the fort. Is going with some ships to Nevis and St. Christopher's to fetch the Governor his lady, and such planters as will come to Jamaica. Hopes before the voyage is over they will have a fresh supply of ships and men. *Endorsed:* "Rec. 12 Sept. 1656." 1¼ *pp.* [*Col. Papers, Vol.* 32, *No.* 64.]

July 10. Aboard the Lion, Cape St. Anthony, off Cuba.

262. Capt. John Lambert to Commissioners of the Admiralty and Navy. In reply to their letter charging him with neglect before he got to the Downs, sends copy of his journal from 21 Dec. last, when he weighed anchor in the Hope, to 3rd Jan., when he left the Lizard. Admiral Goodson sent him here, and with him are the Indian Success, Dover, Selby, and Martin. *Endorsed:* "Rec. 12 Sept. 1656." 1 *p.* [*Col. Papers, Vol.* 33, *No.* 1.]

July 14. Torrington, Cape Anthonio.

263. Vice-Admiral Goodson to Commissioners of the Admiralty. Refers to his last of 24 June [*see ante No.* 260]. Account of fourteen ships sent to lye before Havana. The Arms of Holland blown up, and only three men and the Captain saved, who were sent for by the Captain of the Indian to dine with him not half-an-hour before. The Laurel had her maintopmast shattered to pieces by a clap of thunder, and her mainmast rendered unserviceable, and the Dover has sprung her mainmast. Will be forced to send home the ships that have been long in the country by advice of a council of war, when he hopes they will provide some fitter person than himself for his Highness' service in these parts. *Endorsed:* "Duplicate brought home by the Gloucester, 19 Oct. 1656." *Encloses,*

263. I. Account of cuckaw [cocoa ?] laden on board the Great Charity, Capt. Thos. Bunn. *Together,* 2 *pp.* [*Col. Papers, Vol.* 33, *Nos.* 2, 2 I.]

Aug. 7.

264. Robt. Tillghman to Robt. Blackborne, at his house near Scotland Yard. Cannot justify what he informed his Highness concerning the Jamaica soldiers "being sould," so must be forced to suffer my loss and scandalous speeches in Virginia, and lose what estate he has left behind, and lay under the censure of those whom he has most ambition to serve, or else be ruined by sad imprisonment. Married a widow of New England who was thought to have a handsome estate clear of engagements, but since his coming to England so many of his predecessor's cruel creditors have fallen upon him that he is forced to keep his chamber, and though we have proffered to let them have all they have they will be satisfied with nothing but his ruin by imprisonment, when his great hopes were to have been employed in his Highness' service in the Indies, and where he has been at sea and on shore for 4 years. Desires his advice as to petitioning his Highness for a Protection until he has cleared this Jamaica business, and that he will notice that his greatest enemy is Capt. Wood's brother, who employed Bolocke and sold the soldiers in Peauketaucke. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 3.]

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Aug. 12. [Received.] **265.** Robt. Tilghman to Robt. Blackborne. Particulars of certain proceedings he took in the Court at Virginia against Capt. Ruther for bringing certain soldiers there from Jamaica in the Strong Rowland, now called the Virginia Merchant, Col. Obedience Robins being Judge of the Court, who Tilghman desired to swear and examine Capt. Potts and Mr. Doutye, Col. Scarborough being present. Desires Thos. Price, who has come over with him, may be examined. *Endorsed:* "Rec. 12 Aug. 1656." 3 *pp.* [*Col. Papers, Vol.* 33, *No.* 4.]

Aug. 19. On board the Mathias, Coast of Cuba. **266.** Capt. Fras. Parke to Robt. Blackborne, Secretary to Admiralty Commissioners. Has buried 24 men, and has 14 sick, and provisions very bad and scant. Thirteen sail have been before Havana 6 weeks, but Adm. Goodson has given a full account of all passages. They have been very diligent in watching for the Plate Fleet, but no success. The Nova Spania Fleet not yet come for Havannah, and it is supposed will not do so this year. Has intelligence that the Catharine Fleet of 12 sail left Havana 13 July, 7 only bound for Spain. Hopes our Fleet on the coast will light upon them. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 5.]

Aug. 20. Marston Moor, Havannah. **267.** Matthew Clerke to [Robt. Blackborne]. Sends account of medicines he has supplied as Surgeon General to 5 ships under Adm. Goodson. Sickness and indisposition of body, many times accompanied with death, have been most men's insuperable companions. Has had a large taste of sickness himself, which has made him silent hitherto, but now desires instructions as to charging for what he shall supply during the remainder of his stay, which he desires may not be long. *Encloses,*

267. I. List of the five ships supplied with medicines for 9 to 15 months: Torrington, William Cattle, surgeon; Gloucester, Edw. West; Laurel, Thos. Rook; Dover, John Hillis, and Portland, John Forrest, surgeon. *Together,* 2 *pp.* [*Col. Papers, Vol.* 33, *Nos.* 6, 6 I.]

Aug. 21. Aboard the Success, near the Havannah. **268.** Cornelius Cole, Purser, to the Navy Commissioners. Sends two muster books, duly signed by the officers and himself. The company have been very sickly, but now are indifferently well recovered. The ship in good condition, but provisions drawing towards an end. ½ *p.* [*Col. Papers, Vol.* 33, *No.* 7.]

Aug. 22. Aboard the Convertive, Gulf of Florida. **269.** Capt. Thos. Wilkes to the Commissioners for the Admiralty. Has been with Adm. Goodson in expectation to have met the Spanish Fleet, but as yet they have missed them. If they do not meet the Nova Spain Fleet in 8 or 10 days, has small hopes to see them this year. After many deaths at present their men generally well in health, some few excepted. The public suffer through the badness of cask and bad victuals. It were well to allow ships coming into these American seas 2 Mates to each Surgeon, 2 Coopers, 2 Armorers, and more Carpenters. Wine and vinegar to make beverage with, agree better with the men's constitution than brandy and water, especially those sick and weak. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 8.]

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Aug. 23. Aboard the Marston Moor, upon the coast of Cuba.

270. Vice-Admiral Goodson to the Commissioners for the Admiralty. Since his last of the 14th of July by the Charity (*see ante, No.* 263) we have lain at the Havana expecting the Nova Spania fleet, but as yet no advice of them. Took a bark belonging to the Havana on 3 Aug., but nothing in her. News that the ships from Carthagena bound for Spain departed 13th June, three days before our coming. Describes the ships, in all eight, which sailed for Spain. If he had had timely advice should have sent a frigate to General Penn. At a council of war on the 19th inst. it was resolved that the Gloucester, Torrington, Dover, Portland, and Laurel, be sent for England because of their "deficiency and inability." Has embarked on board the Marston Moor with Capt. Mynors. It is not safe to lye longer upon this coast than the end of this month. In straits for victuals. Believes the soldiers will, if it be possible, lay hold of the bread and peas expected from New England. Forty Spanish seamen prisoners sent home, which is safer than to put them ashore in these parts. Capt. Nuberry and the Commanders with him will inform them fully of the state of affairs. *Endorsed,* "Brought by the Gloucester." 1¼ *pp. Original and duplicate.* [*Col. Papers, Vol.* 33, *Nos.* 9, 10.]

Sept. 23. Marston Moor.

271. Vice-Admiral Goodson to Commissioners for the Admiralty and Navy. His last was of 23 Aug. (*see preceding*), by Captain Nuberry who sailed homeward same day with four ships under his "conduct." Extremity of wind and weather has prevented them attaining the island of Nevis. The bearer, Wm. Simons, Master of the Peter of Bristol, advises that the Hope, Capt. Martin, sent to New England, arrived at Barbadoes, and from thence sailed to Jamaica; that he hath not heard of any ships from England, but a report of eight sail fitting for Jamaica, and that three ships had some time since arrived at Nevis, that the Governor there had not only used all means possible to induce the people of Nevis to transplant themselves [to Jamaica], but had gone to St. Christopher's to draw what people he can from thence. Complains of the quantity and quality of provisions sent, and the destruction by vermin, their short allowance of liquors. Although the Indies is understood to be a fair weather country it has much destroyed their sails, of which there is a general want, also of cordage and all sorts of carpenters' stores. 2 *pp.* [*Col. Papers, Vol.* 33, *No.* 11.]

Sept. 23. Marston Moor.

272. Duplicate of preceding, *also* that they arrived at Nevis road on 9th Oct., and have been embarking about 1,400 men, women, and children, with their goods and servants, and intend sailing [for Jamaica] 21st inst. Would be very glad to know their pleasure concerning these heavy sailing Flemish ships unfit for the Indies. Many of their men have had the scurvy, and some died. Provisions exhausted. Since writing, the above has arrived, the Hopewell, Capt. Huitt, and the Lieut.-Col., and the rest of the people indifferent well in health. They have not heard of General Brayne and the ships which went with him for Ireland. Finds no

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letters nor any bill of lading for eatable or drinkable goods. 19th' 20th Oct. 3 *pp.* [*Col. Papers, Vol.* 33, *No.* 12.]

Oct. 4. Aboard the Falcon, Falmouth.

273. Capt. Thos. Fleete to Commissioners of the Admiralty. By order of the Commissioners for the affairs of America, sailed from Jamaica 2nd May last bound for Portsmouth in Old England, the Church in company bound for New England to lade provisions and return to Jamaica. Met with an extraordinary storm of wind, could scarcely keep the ship above water; she being so leaky, and their bread and powder much damaged, were forced to make for Boston. Had the ship surveyed and repairs performed in six weeks, and loaded her with good masts. Set sail from Piscataway 27th August for Portsmouth, but forced to put into this harbour. 1½ *pp.* [*Col. Papers, Vol.* 33, *No.* 13.]

Oct. 10. The Bear, [Jamaica.]

274. Captains Jeffery Dare and Mark Harrison to [Commissioners of the Admiralty]. Their last was by way of New England, since when have had no intelligence of the Admiral. As to the affairs of this island, through the industry of the army, no visible enemy now appears except some few negroes. Intelligence from Cuba that a boat had been twice at this island (of Jamaica) and transported about two hundred Spaniards; that there is a very great mortality in Cuba, the like hath not been known for many years, and that most of the Spaniards that fled are dead, and those that survive are building forts, and casting brass guns for defence of that island. Account of the condition of their own men and provisions. 2 *pp.* [*Col. Papers, Vol.* 33, *No.* 14.]

Oct. 24. Torrington, Dover Road.

275. Capt. Robt. Saunders to the Commissioners of the Admiralty. Arrived before Havana 17 July, with 10 sail under the conduct of Adm. Goodson, and 3 days before eight Spanish ships left bound for the Groyne, in Galicia, and four for Carthagena, their Admiral, a galleon of 28 guns. They came foul of the shoal going through the Gulf when one of the galleons ran on board the Admiral and sunk her, saving only 36 men. The other galleon struck off her rudder, but gained a port near Porto Rico, and from thence went to Carthag na. Had they taken Jamaica for Carthagena might have given a better account of those 6 sail. Sailed from Havana 23 August in company with the Gloucester, Dover, Laurel, and Portland, leaving the Admiral on board the Marston Moor, in company with the Lion and 6 others, he having resolved to stay there until the end of the month. When in the lat. of 43, and the meridian of Newfoundland, his bowsprit and foremast went by the board in a gale, since which the Laurel has kept him company. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 15.]

Oct. 24. Downs.

276. Capt. Wm. Powell to Col. Clerke. Has little good to speak of the proceedings at Jamaica; they have had a very sad dispensation, and have wanted that comfort that the State allowed them. Most of the provisions sent were layed on shore and rotted and spoiled, whilst many poor souls perished for want. Has seen many a

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poor soul languish and die of hunger by the wayside. Pride and emulation amongst the Commanders, and not that unanimous love in the fleet which ought to be in men. Those that sit at the helm would do well to send out, not only a Joshua, but Joshuas. While in the Indies, took and fired the city of Rio del Hacha, where only 10 men were left. A parcel of Brazilletto, valued at 1,500*l.*, and another of hides, were found, but does not know how they were disposed of; some of the wood, however, may be found in the ships that have come here. Also took a vessel from Spain with wine, linen, and serges. Experienced a grievous storm, and lost nearly all his masts, and a thunder bolt coming into his ship killed one of the Quarter-Masters, and did much damage in the gun-room. *Two letters. Together,* 3¼ *pp.* [*Col. Papers, Vol.* 33, *Nos.* 16, 17.]

Nov. 18. **277.** Warrants from the Council of State for Charles Rich to transport forty horses to Barbadoes, also for Anthony Rous to transport twenty geldings. [*Dom., Interreg., I.* 114, *pp.* 44, 46.]

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Jan. 6. Jamaica Harbour. **278.** Cornelius Burough to Commissioners of the Admiralty. The last conveyance from this place was by a merchantman of Bristol in October last, by which, in the absence of Admiral Goodson, an account of their present condition was sent which he recapitulates. Some of the ships "gave very lame accounts" of the stores sent by them, and accordingly prosecuted the Purser of the Bear at a council of war, but the issue of the business was referred till Admiral Goodson's arrival. Has since acquainted Lieut.-Genl. Brayne, Admiral Goodson, and Col. Stokes, Governor of Nevis, but the now important affairs hath impeded its prosecution. Certain ships have not answered their bills of lading. Was left here by General Penn as Steward General in the room of John Carter since deceased, "from which distracted employment I have a long time breathed after a release and freedom." Has desired General Brayne to let him go home to give the State satisfaction and account of those vast supplies sent hither, but was told he could not be spared, but an auditor would be appointed. Is forced to look home and to the well-being of his near relations; "they receive little comfort in their lives without me, and less if they receive nothing from me." Refers both them and himself to their Honors' consideration, his salary now due is 220*l.* at 10*l.* per month. Is here alive through mercy when thousands have gone to the place of silence. 2 *pp.* [*Col. Papers, Vol.* 33, *No.* 18.]

Jan. 9. On board the Gift, Port Morant. **279.** Capt. Mark Harrison to Commissioners of the Navy. Desires they will sign the tickets that shall be presented to them for himself and servants for about sixteen months. Arrival of "part of those ships and soldiers from Ireland. The soldiers upon the work of planting and will do well if the Lord gives them health. They take their ground near this port to the east." Fears the Lieutenant-General's body "will hardly broke (? brook) this country." 1 *p.* [*Col. Papers, Vol.* 33, *No.* 19.]

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Jan. 27. Port Cagway, Jamaica.

280. Cornelius Burough to Commissioners of the Admiralty and Navy. In his last importuned for his pay, and stated an auditor was appointed. They will receive an account of his proceedings from Admiral Goodson, also of the disposal of two prizes brought in attested by Peter Pugh, appointed Auditor General, and for which the General has discharged him from giving any further account, or of two others. They will also receive account of the charge of the Army to October last, but the distance of the Commissary is such that they cannot adjust accounts upon every occasion, and there is also an account of ships left for England since Gen. Penn went home. Having been absent from home since coming forth with Gen. Penn, who left him behind in the room of Jno. Carter, the General has desired him to audit his accounts, to which he cheerfully submits, as any scruple can be ended here better than in England, but will give a further account if required. Hopes he will not be forgotten as regards his pay, having no other income, and having been seconded by the General. 2 *pp.* [*Col. Papers, Vol.* 33, *No.* 20.]

Jan. 29. Cagway, Jamaica.

281. Lieut.-Gen. Brayne to Commissioners of the Admiralty. Has desired Admiral Goodson to declare their wants, and to propose such things as are necessary for carrying on the work to the best advantage to the State, that they may be provided with victuals and stores and an able man or two to issue them, "whereby the shipping may not be eaten with the worm by lying in the harbour." 1 *p.* [*Col. Papers, Vol.* 33, *No.* 21.]

March 8.

282. Cornelius Burough to [Commissioners of the Admiralty]. Provisions hastening to an end. On 6 May arrived the Convertive, Mathias, and Bear; the Great Charity left in June. Neither the Hope, Helpwell, Recovery, or Two Sisters answered their bills of lading; their defects made good by the Charity from New England and two ketches. The 8 ships lately sent from hence victualled for two months. In daily expectation of ships. Will receive by the first his account fully audited. Begs his former desires, seconded by the Lieutenant-General, may be considered not only as to his pay but as to his stay here. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 22.]

March 13.

283. Order of the Commissioners for the Admiralty and Navy. That the Commissioners for the Navy make out bills for the amounts as per enclosed Order of the Council of State as are not already accepted and paid. *Signed by* John Clerke, Ed. Salmon, and Thos. Kelsey. *Annexed,*

283. I. The Order of the Council of State above referred to, specifying the amount of each separate bill, the total 2,737*l.* 15*s.* 11*d.*, with marginal notes to those already paid. Whitehall, 1657, Feb. 19. *Together,* 2¼ *pp.* [*Col. Papers, Vol.* 33, *No.* 23.]

April 26. Port Cagway, Jamaica.

284. Cornelius Burough to [Robt. Blackborne?]. Accounts sent of the Bear, Unity, Dogger, and Ostrich brigantine. The small fleet with the Success departed hence about six days since. The Martin

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gone to Bermudas, thence to Barbadoes, whither the Chesnut ketch is now going. The Blackamoor is at Port Morant, her appointed station, the Gift and Selby on the north side, Paul, Grantham, and Convertive at Point Pedro, all taking provisions. The Cagway, a small frigate of ten guns brought by the Lieutenant-General, is gone over to the main, so only the Indian and Lion in harbour. Great loss of brandy on board the Bear. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 24.]

April 28. **285.** Order of the Commissioners for the Admiralty and Navy. That the tickets for several persons who served with the fleet at Jamaica be referred to the Commissioners for the Navy, who are to confer with Vice-Admiral Goodson, and if found correct that they take care for payment. *Signed by* John Disbrowe, John Clerke, Robt. Beak. *Annexed,*

285. 1. Petiton of several poor women whose husbands were in the State's service at Jamaica. Pray they may receive the wages due upon the tickets presented to the Commissioners for the Navy, who refuse to sign them. With certificate signed by Admiral Goodson of the truth of the employment of the above. 1657, April 24. *Together,* 1¼ *pp.* [*Col. Papers, Vol.* 33, *Nos.* 25, 25 1.]

April 30. **286.** List of the names of ships and vessels which served the Commonwealth in Jamaica, the men of which when put aboard them were discharged from the ships they did afore belong to. The books of their entries and discharges remain in the hands of Corn. Burough, Steward General at Jamaica. *Signed by* Wm. Goodson. [*Col. Papers, Vol.* 33, *No.* 26.]

June 2. **287.** Proposals of Admiral Goodson concerning Jamaica presented to his Highness, 2 June 1657, by the Committee for the affairs of Jamaica. In reference to the employment of certain ships for the West Indies and other necessaries for the fleet and army, such as stores, guns, victuals; also for the better carrying on his Highness's affairs there. 9 *pp.* [*Col. Papers, Vol.* 33, *No.* 27.]

June 17. Cagway. **288.** Lieut.-Gen. Brayne to Rich. Hutchinson, Treasurer of the Navy. The necessity of the fleet and army induced him to give instructions to Capt. Benj. Fermais of the Golden Falcon on his arrival at New England to dispatch away two hundred tons of provisions for those parts and to encourage those that adventured. Promised them salt at 12*s.* a ton, who immediately despatched two ships, but cannot comply with them in point of salt which this year, quite contrary to custom and expectation, proves very scarce; wherefore desires he will pay enclosed bill, 1,482*l.* 12*s.* 9*d.* 1 *p.* [*Col. Papers, Vol.* 33, *No.* 28.]

July 23. Whitehall. **289.** Order of the Council of State. That Gen. Disbrowe and Mr. Secretary had this day attended his Highness who approved of the Report of the Commissioners of the Admiralty and Navy of

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16th instant concerning the condition of the fleet at Jamaica and the state of the island in respect of provisions; and said Commissioners are hereby empowered and required to call home such of the eleven ships remaining with Lieut.-Gen. Brayne at Jamaica as have been certified to be unfit for those seas and to give order forthwith for fitting for sea service six nimble frigates to bear 750 men to be continued in those seas not above twelve months and then to be relieved with the like number, two to be sent with all convenient speed, two others within three months, and the rest three months after that, and as any of the said frigates arrive at Jamaica all there above the proposed number to be sent back; that a proportion of four thousand men's victuals for six months be sent as a competent provision for them; also that about 2,000*l.* be sent to the Commander-in-Chief to carry on such works and other emergent services as necessity may require, and that 100 barrels of powder and some great and small shot be sent, the Lord Protector having only respect to securing the island and answering the occasions thereof and to cruise on the Spanish coast to annoy Spanish trade and not to attack the enemy's fleet in their passage out and home. *Signed by* Henry Scobell, clerk. 3 *pp.* [*Col. Papers, Vol.* 33, *No.* 29.]

Aug. 8. Cagway, Jamaica. **290.** Lieut.-Gen. Wm. Brayne to Richard Hutchinson, Treasurer of the Navy. The fleet and land forces being in imminent danger of starving for want of provisions was forced to agree with Capt. James for as much salt turtle as his ship could bring at 3*d.* per lb., and he delivered 50,603 lbs., wherefore begs him pay enclosed bill for 632*l.* 10*s.* 3*d.* 1 *p.* [*Col. Papers, Vol.* 33, *No.* 30.]

Sept. 15. **291.** Bond of John Hook, late Assistant to the Commissary General of Musters in Jamaica to pay Francis Sanders, of Chatham, Kent, tailor, the sum of 11*l.* 19*s.* 10*d.* Signed and sealed in the presence of three witnesses. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 31.]

[Sept. 22.] **292.** Petition of Capt. John Leverett to Oliver, Lord Protector. Has received account of the delivery of the forts taken from the French in America by his Highness's order of 18 Sept. 1656 to Col. Thos. Temple, together with account of disbursements and receipts for his Highness's service in those forts from 10 Dec. 1656 to the time of delivery according to Articles of Agreement with Col. Temple, also invoices of stores and vessels, all which petitioner has ready to present. Prays same may be audited and petitioner receive what is justly due to him and a discharge. *Annexed,*

292. I. Order of the Council of State referring above petition to Commissioners of the Admiralty and Navy for their report. Whitehall, 1657, Sept. 22.

292. II. Order of the Commissioners of the Admiralty and Navy referring Capt. Leverett's accounts to the Commissioners for the Navy for their report. 1657, Sept. 26. *Together,* 3 *pp.* [*Col. Papers, Vol.* 33, *Nos.* 32, 32 I., II.]

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Feb. 2. **293.** Order of the Commissioners of the Admiralty and Navy. That the Commissioners for the Navy make out a bill for 43*l.* 14*s.* drawn by Lieut.-Gen. Brayne to Thos. Hatton. *Annexed,*

293. I. Lieut.-Gen. Brayne to the Treasurer of the Navy. The Two Brothers and Sapphire not yet arrived, and those that have, do not answer their bills of lading, so is forced at dear rates to supply their defects and to buy of New England merchants trading hither to which end have drawn bills of exchange upon him. Jamaica, Cagway Point, 1657, Feb. 7. *Together,* 2 *pp.* [*Col. Papers, Vol.* 33, *Nos.* 33, 33 I.]

Feb. 12. **294.** Order of the Commissioners of the Admiralty and Navy. That in pursuance of the Order of the Council of State the Commissioners for the Navy make out a Bill to Vice-Admiral Goodson for 400*l.* for his extraordinary service and expenses in the expedition to America. *Annexed,*

294. I. Order of the Council of State above mentioned. General Disbrow presents report of the Committee of Council on petition of Vice-Admiral Goodson setting forth that his Commission from General William Penn to command in chief the sea forces in Jamaica was dated 20 June 1655, said General departing 25 June, and that said Vice-Admiral came from Jamaica, 31 Jan. 1657, and arrived in England 26 April 1657, so his service amounted to 672 days. Ordered that 400*l.* be paid to Vice-Admiral Goodson as a gratuity for his extraordinary service and expense during that time. 1658, Feb. 9. *Together,* 2 *pp.* [*Col. Papers, Vol.* 33, *Nos.* 34-34 I.]

[Feb.] Jamaica. **295.** Minutes of a Council held by Col. Edward D'Oyley, Commander-in-Chief, Col. Fras. Barrington, Col. Wm. Moore, and Col. Sam. Barry. In reference to certain Dutch vessels seized by Capt. Chris. Mings of the Marston Moor in his passage from England to Jamaica by way of Barbadoes. That the Court of Admiralty in Jamaica could not proceed to condemnation of said ships. That said ships are prize to the Commonwealth by virtue of the Act for increase of shipping and navigation, and that it was the duty of Capt. Mings to make seizure of said ships. *Certified Copy. Annexed,*

295. I. Survey of goods on board the four prizes above referred to. That they are not of the growth or manufacture of Holland. Jamaica, 1658, Feb. 24. Certified Copy. *Together,* 3 *pp.* [*Col. Papers, Vol.* 33, *Nos.* 35, 35 I.]

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Feb. 26. [Jamaica.] **296.** Col. Edw. D'Oyley, Col. Fras. Barrington, and Capt. Christ. Mings to Peter Pugh. Warrant to receive 2,572*l.* 17*s.* 11½*d.* brought over to Jamaica by Captain Christ. Mings by order of the Lord Protector, to be paid over by Capt. Mings to such person as the Commander-in-Chief, the eldest Colonel, and Capt. Mings shall

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nominate, to be issued out by such person upon such order as shall be signed by any two of them for carrying on the fortifications of the island. *Certified Copy. Endorsed,* "Note of 6 ships seized by Capt. Mings at Barbadoes." 1 *p.* [*Col. Papers, Vol.* 33, *No.* 36.]

March 2. Jamaica. **297.** Capt. Christ. Myngs to [the Admiralty Commissioners]. Arrived at this port 20th ult. with three victualling ships (which seasonably concurred with the want of provisions), as also with six sail surprised at Barbadoes, which he has given an account of to the Commander-in-Chief, as also all writings and evidences conducing to or against the interest of his Highness. Here were summoned all the Colonels who debated all circumstances and heard what could be said in defence by the masters of those ships here, and have accordingly found them prize. However, they may see the inconveniences accruing to a person that acts downright in his duty, for if his superior here, whose orders he is to follow, refuses to meddle in the ordering, securing, or disposal of these vessels, although in his judgment and the Council's, the State's interest, it may well startle any man's proceedings in surprisal of any ships here where there is no power to try them, considering and rendering accounts at such a distance, as between this and home may by miscarriage and other inconveniences render things quite contrary to themselves, so that what passes in a man's lifetime for a Spanish mariner may be represented over his grave for an English merchant.

Touching the present state of the islands, although his advice may come short of better judgments, yet shall humbly give it which principally depends upon transportation of people hither, for all things here go well on, health stands, and every one very sensible that the earth with the other elements doth as naturally contribute here to increase as in other parts, and most find the advantage conducing to settlement here to be more than have been in other parts; only two things impede peoples coming hither, one is a suspicion they shall be under a martial authority and so incapable of that law and government that is suitable to a settlement, the second is the want of a steady and constant course for the transporting of persons at such seasons of the year as render them fitting by their crops, wherein the State's care reaching their necessities, would at all such seasons bring down a freight of people hither, and that bespeaks another which would beget a constant course of peopling this island, and in case some such course be not taken, time will leave all present endeavours here without executors and so terminate and end on nothing. The vessels he brought hither arrived to many conveniences of disposal as this opportunity of being transmitted for England if it might have been thought convenient, or otherwise disposed of here, here being divers merchants ready to buy and some masters with credit to buy their own ships or any other.

Proposed to the Commander-in-Chief a fair advantage of settling this island and serving his Highness's interest, being four of these ships very fitting for transportation of people and well fitted from Holland, so as they might well endure the Indies some two years,

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All which vessels would be manned for such a purpose with 60 or 70 men, an inconsiderate charge considering the service, for these vessels would carry more goods and passengers than twice the squadron of frigates your Honors have allotted for this place; but the worm will eat, ships will decay, decks will leak, and goods be damnified, especially what require present disposal. What he can do either to security or preservation shall not be wanting. Sends receipt for 2,572*l.* 17*s.* 11½*d.* with copy of the order according to their directions. All affidavits, writings, and what else may conduce to the condemning of these ships, are in the hands of Col. D'Oyley here. 2¼ *pp.* [*Col. Papers, Vol.* 33, *No.* 37.]

April 9. Port Cagway, Jamaica. **298.** Receipt of Captain John Wentworth for seven puncheons of cocoa laden on board the State's ship Paul of Wm. Dalyson, to be delivered to Robert Blackborne, Secretary to the Commissioners of the Admiralty at Whitehall or his assigns. [*Col. Papers, Vol.* 33, *No.* 38.]

June 3. **299.** Order of Commissioners for the Admiralty and Navy for the Commissioners of the Navy to make out a bill for 1,482*l.* 12*s.* 9*d.* according to the tenor of the bill drawn by Lt.-Gen. Brayne at Jamaica [for provisions bought in New England]. *Signed by* Ed. Salmon, Thos. Kelsey, and Robt Beake. ½ *p.* [*Col. Papers, Vol.* 33, *No.* 39.]

June 21. **300.** Order of Commissioners for the Admiralty and Navy. That the Commissioners for the Navy make out a bill to Capt. Wm. James for 632*l.* 10*s.* 3*d.*, being the value supplied by him in provisions at Jamaica according to the tenor of the bill drawn by Lt.-Gen. Brayne. ½ *p.* [*Col. Papers, Vol.* 33, *No.* 40.]

July 3. **301.** Order of Commissioners for the Admiralty and Navy. Having received advice from the Commander-in-Chief at Jamaica that there is a want of pitch, leather scuppers, small cordage, canvas, and twine instead of sails for furnishing the ships there, the Commissioners of the Navy are directed to send such a proportion of said stores as is requisite by the Diamond and Chestnut ketch, having a respect to the provisions last sent thither. *Signed by* Ed. Salmon, John Clerke, and Tho. Kelsey. ½ *p.* [*Col. Papers, Vol.* 33, *No.* 41.]

July 8. Whitehall. **302.** Order of the Council of State. That it be referred to the Commissioners of the Admiralty and Navy, to take order for transporting to Jamaica such wives of officers and soldiers now at Jamaica as shall be certified to them by the Committee for his Highness's affairs in America, to have real intention to transport themselves to their husbands at Jamaica also the children of such wives. *Signed by* W. Jessop, Clerk of the Council. ½ *p.* [*Col. Papers, Vol.* 33, *No.* 42.]

July 15. Jamaica. **303.** Cornelius Burough to [Secretary to Commissioners of the Admiralty]. The ships in his Highness's service here are the Marston Moor, Grantham, Cagway, Blackamoore, Hector, Pearl, and Dolphin, with upwards of 650 men, all in good

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health. Three were slain in their late expedition to Rio Nuevo. Their stay abroad was near six weeks, the soldiers about 700, who made a great hole in the stores. Reasons why he cannot give an account of how long the stores will last. What are sent should be distinguished so much for the army and so much for the fleet. The soldiers think it a hard matter to have less than the seamen. Allowance to soldiers; the stores for the fleet and troop of horse will last till December next; for the whole army in general one month. The enemy in all probability will attempt again. Hears a reducement of the army is intended. If new forces come as regiments, of which he fears there will be need, they must go into woods as others have done before, and, their hearts being down at the first coming, provide not so conveniently for themselves and provisions which causeth sickness to themselves, embezzlement and damage to their provisions which is put ashore with them. It is to be considered whether they had not better come as recruits whereby the quarters of the army will be strengthened, and the new comers will go where the woods are opened and amongst those that are in a way of living which will be encouragement to them. Has been an eye witness to the death of so many and of those inconveniences he has intimated. There is one want more which is one in his room. Has a four years account to pass, impossible to do here. Humbly prays he may be considered, and if he must stay that he may have instructions what to do as to accounts. 2 *pp.* [*Col. Papers, Vol.* 33, *No.* 43.]

July 16. Point Cagway, Jamaica. **304.** Capt. Wm. Dalyson to his cousin Robt. Blackborne, Secretary to the Admiralty Commissioners. Hopes his last by the Paul, Capt. John Wentworth, has come to hand with his small adventure of cocoa, which, if it comes to the market, is informed it will make him a clear man in the world and in a better condition than ever. God has blessed them with a second victory over the Spaniards, giving them a total rout, killing about 300, six captains prisoners, some private soldiers, ten colours, the Royal Standard, a great quantity of provisions, all their ammunition and arms, with six great guns. Lost about sixty men, whereof four captains, Captain Wiseman, Captain of the Horse, Captain Mears, Captain Walker, and Captain Robinson. Hopes to write to his parents by the next. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 44.]

July 16. Jamaica. **305.** Cornelius Burough to [Robt. Blackborne, Secretary to Admiralty Commissioners]. This comes by the Martin to communicate our good news which he desires may be kept from the press, well knowing the Commander-in-Chief sends a fuller account. Several letters of private persons here have been inserted in the weekly prints "which is judged to be popularity and a matter of great offence here." Has seen a great deal of bloody work in his time both by land and sea, but never saw any action carried on with so much cheerfulness and sweet carriage as this was, the Commander-in-Chief, Colonel D'Oyley, telling the soldiers that a great deal of England's honour lay at stake, and therefore hoped they would consider it and carry themselves accordingly,

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going himself from party to party, and following the rear of the forlorn in a very signal habit. His gallant behaviour was answered both by officers and soldiers with a silent cheerful obedience, and through God's gracious goodness there was found such a joint unanimous willingness to the work that the truth is it was of God and it hath exceedingly endeared us one to another since we came here. Understands by letters from England several duels have been fought and more threatened concerning Throgmorton's business. Account of his serious discourse with the Commander-in-Chief about it, and what took place the night before Throgmorton's execution. Col. Barrington sent for to find a way to "prevent his blood," and Mr. Ailesbury importuning for his life; but in that juncture of time came a protest from Major Throgmorton with many false and scandalous charges, and a great party in the army siding with him, the officers could not see any hopes of future peace if he were spared, which led all jointly to sign and seal the warrant for his execution. Col. Barrington told Burough that altho' there was an ugly face put upon the business and a great deal of clamour about it, yet the business was so foul and there was so much in it that he could not be spared with safety. Thanks be to God we have now no differences amongst us, but are all at peace. Hopes some encouraging letters are on the way for Mr. Dallyson from his father, the want of which has caused him to shed many a tear. Hopes his own time draws to an end for he is quite weary. Hears the Dutch begin to grumble, hopes God will not leave England now. Hears from Spanish prisoners that the Indians are in arms at Lima. No plate gone from these parts to Spain since the news of the loss of their ships by Gen. Blake. *Endorsed*, "The Martin arrived at Portsmouth 4th Oct. 1658." 2 *pp.* [*Col. Papers, Vol.* 33, *No.* 45.]

July 16. [Jamaica.] **306.** Certificate by Cornelius Burough of the services of Capt. Kempo Sibada for about three years and a half. He was invited by order of Commissary Gregory Butler into the service of the State at Antigua, then went to St. Christopher's with his ship and crew where he was entertained by General Penn, pilot on board the Swiftsure after Commander of the Hunter, and in the State's service in Jamaica ever since. And now finding old age creeping apace upon him, and urgent occasions to go for his own country, has the General's leave to depart for England where he desires to receive his pay, and is newly returned from the late expedition to Rio Nuevo. *Also*, Certificate from Col. Edward D'Oyley that Capt. Sibada has been a very diligent and faithful man and done good service and hopes he will find respect suitable. *Also*, Statement of monies paid to him on account. 3½ *pp.* [*Col. Papers, Vol.* 33, *No.* 46.]

Aug. 5. Jamaica. **307.** Cornelius Burough to [Secretary to Admiralty Commissioners]. Account of Capt. Wm. Burough's proceedings on board the Martin before he sailed with respect to muster of soldiers on board and tickets given to seamen whether ordinary or able. The full detection of these things was not until ten or eleven at night, and

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at break of day the ship sailed, and letters all writ and sealed so could not then inform; "neither should I now, but that I fear my silence might render me concerned in the cheat, he being of my name and the business lying in my way." The bearer, Col. Moore, will tell the whole business. They have certain intelligence that 25 Spanish ships are come to Carthagena. Cannot imagine they have any design upon us. If we should meet with any opportunity of testifying our affections to our country we should be glad, and you may be assured the people here would die man by man rather than to accept of any conditions though never so honorable. We are but weak, yet in an ordinary way of Providence we are able to withstand a greater force than Spain can send to encounter us. *Endorsed*, "Rec. by Col. Moore 2 Nov. 1658." 2 *pp.* [*Col. Papers, Vol.* 33, *No.* 47.]

Nov. 28. Jamaica. **308.** Cornelius Burough to [Secretary to Admiralty Commissioners]. Both fleet and army and the whole island in great health, "it being now as strange for a man to die as formerly to live." Planting increases much. Two sugar mills grinding canes, clearing cocoa walks, and planting cotton, "now also much intended." Necessity of servants. Stores almost spent, occasioned by entertainment of soldiers on board the fleets in two expeditions, one to Rio Nuebo with 700 men, equal to the number of the fleet for six weeks, and 300 men in the late expedition to find out the Spanish fleet ten weeks. If they had not pinched the army the fleet and garrison on the island must have been starved. In Gen. Brayne's time about 1,000*l.* in provisions was lent to Nevis planters settled on Port Morant, they being in great want, conditionally on being paid again. Has moved the General [D'Oyley] herein, but he says as it was in General Brayne's time he is not free to meddle with it, for he says those planters quartered 400 men a week when they went to Rio Nuebo. In great want of barge and wherry. As to his return, but for his accounts, is content to tarry here, where he had laid the foundation of his future dependencies. Ships remaining in the country: Marston Moor, Hector, Coventry, Blackamoor, and Cagway, to which 557 men belong, only 11 sick and 5 men deceased the past 3 months. 2 *pp.* [*Col. Papers, Vol.* 33, *No.* 48.]

Nov. 30. Aboard the "Coventry," Cagway Harbour, Jamaica. **309.** Capt. John Aylett to Commissioners for the Admiralty and Navy. Soon after his arrival was ordered to the coast of Carthagena to their fleet of five sail to wait for the Spanish fleet which they passed through, being twenty-nine sail of stout ships and galleons, "in regard of our impotency we could do no good on them." Have taken and burnt a town called Traloo and two ships in the road; afterwards sailed for St. Mark, marched twelve miles into the country, and burnt and destroyed all as we went; stayed three days and returned to Jamaica. Movements of the Spanish fleet in all three score and odd sail. Are now fitting for some other design, but cannot stir until victuals arrive from England. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 49.]

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Dec. 2. Port Cagway, Jamaica.

310. Wm. Dalyson to [his cousin Robt. Blackborne, Secretary to Admiralty Commissioners]. Questions not he has received the cocoa sent by Capt. John Wentworth in the Paul [*see ante, No.* 304], and hopes it will discharge his debts, which, if he could accomplish, should think himself the happiest man living. Hopes to get a dividend of a small prize taken upon the main laden with cocoa. After waiting ten weeks for the Spanish fleet, went through them and fired some guns which they hear killed ten men and shot off the Captain's legs of one of the galleons; they are a very strong fleet gone for the Havanna; in very good condition for health, but want provisions. Very narrow escape of Capt. Burough when coming from Capt. Barrington's quarters being assaulted by ten Spaniards, who lanced one of his men and killed his horse. A bag of supposed ambergris in the chest sent to him. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 50.]

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Jan. 30. Port Morant, Jamaica.

311. Capt. Christopher Myng to Commissioners of the Admiralty. At his first arrival brought into this port certain vessels surprised at Barbadoes trading there contrary to the Act of Parliament. At a convention of the Colonels of the Army they were judged lawful prize, but the power of condemnation disputed. The Commissioners will receive the affidavits concerning these vessels, and the reasons he now gives for their surprisal, viz.:—The Charity, Geo. Prince, master; the Mary, Hopewell, Hellibrand, John Baptist, and Estrich. Requests orders for the disposal of these vessels and taking them out of his hands lest time and ruin leave nothing of them. 2 *pp.* [*Col. Papers, Vol.* 33, *No.* 51.]

Jan. 31. Jamaica.

312. An abstract of the officers and soldiers residing upon the island of Jamaica, according to the last Muster Rolls transmitted from thence bearing date the 31 January 1658[–9]. Total, 2,041, which include 4 Colonels, 3 Lieutenant-Colonels, 4 Majors, and 24 Captains, 2 Chaplains and 7 Surgeons, and a troop of horse of 70 men. Examined per Hodges. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 52.]

Feb. 2. Port Cagway, Jamaica.

313. Wm. Dalyson to [his cousin Robt. Blackborne, Secretary to Admiralty Commissioners]. Is bound for New England on an undertaking he hopes will prove satisfactory, to put off certain goods and bring back those they stand in need of, the General having freely given him leave. An assistant left in his room by Mr. Burough. This is a very dear place, and his salary will hardly maintain him. Has interwoven his fortunes in this undertaking with Mr. Burough, and Capt. Myng and others have examined the business and well approve of it, part being to buy plank and board to finish our fort in this Point. Has acquainted his father and mother; all in good health, and the plantations thrive mightily. *Endorsed,* "Rec. per Blackamoor, 26 June 1659." 1½ *pp.* [*Col. Papers, Vol.* 33, *No.* 53.]

April 20.

314. Certificate of William Houlding that Ralph Dod and Wm. Monke, two soldiers from Scotland brought over by Gen. Brayne,

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were put on shore from the Grantham at Jamaica, where they remained until after his death, and then went again on board said ship, but being soldiers belonging to the garrison the General could not admit of their coming away, and therefore were discharged. ½ *p.* [*Col. Papers, Vol.* 33, *No.* 54.]

April 23. Jamaica. **315.** Cornelius Burough to [Secretary to Admiralty Commissioners]. Sends Dalyson's letter [*see ante, No.* 313], which states his reasons for going to New England. Capts. Myng and Lloyd, with whom they consulted, said it was a warrantable business and an opening of trade between New England and Jamaica. Prizes brought in by the Diamond, Marston Moor, Hector, and Cagway, "an abundance of wealth" plundered from the enemy at Comino and Cora, valued at 200,000*l.* and better. Capt. Myng says they have brought with them 50,000*l.* in coined money besides plate, rings, and jewels. The seamen broke into the hold of one of the prizes, a Dutch vessel, and fought and took ten or fifteen thousand pounds. Would not have the success to be mistaken, for though they are a terror to the enemy yet there is but little advantage to the island save only the spending of their money. "This action, if the naked circumstances were laid down, it would exceed your belief. Doubtless we may say to our enemy, as Hamon's wife said to him, if they be of the seed of the Jews they will prevail against thee, so say I, if we are the people that God will own there are strong presumptions that we shall be their masters. . . . Our spirits are now raised, and I hope God will go on to bless us." Is very much afflicted with weakness in his eyes, contracted here by cold and sitting up late in the night. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 55.]

April 24. Jamaica. **316.** Cornelius Burough to [Admiralty Commissioners]. Sends this by the Blackmore. Respecting the measure of brandy sent a year ago by the Francis and Mary, and his accounts for provisions by Capt. John Wilgresse of the Blackmore of 43,122 lbs. of tortoise, commonly called here turtle, brought into this harbour by Capt. James in Lt.-Gen. Brayne's time, but sent to Barbadoes where it was put off for sugar. Arrival yesterday of the Marston Moor, Hector, and Cagway, which have been abroad well nigh four months. In this expedition they have burnt Coro and Comina, two rich towns on the main, and taken two Dutch ships under Spanish colours which resisted them. It is thought that the whole pillage amounts to 300,000*l.*, though has not yet had time to examine particulars; about 300 of the army on board have got plentifully. These affairs will contribute abundantly to the advance of this island, and enable many officers who have planted beyond their ability to go through. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 54*a.*]

June 5. Jamaica. **317.** Cornelius Burough to [Secretary to Admiralty Commissioners]. Writes by the Marston Moor, the Captain [Myng] goes "to England in suspense," the General's letter will explain. Finding no power to try and condemn the Dutch prizes he seized, he was so far unhinged and out of tune that he was less serviceable

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than otherwise he might have been. Is free from any bitterness, malice, or evil intendment to him notwithstanding upon his suspension he clearly imagined Burough had been a principal author and abettor of his misfortune. If he mentions ought against Burough that he be required to put in his positive charges. It were preposterous to anticipate an answer as he knows of no just ground for anything. The whole matter is before him. Knows no man will repine at his success if Captain Myng be acquitted "most sure I am, I am in no ways guilty of his illfortune." 2 *pp.* [*Col. Papers, Vol.* 33, *No.* 55*a.*]

June 7. Jamaica. **318.** Lieut.-General D'Oyley to [Admiralty Commissioners]. By advice of a Council of War, has sent home the Marston Moor, their victuals being spent, and a time of year to get turtle at Caimanos. Has sent home the Captain suspended for disobeying his orders and plundering the hold of one of the prizes of 12,000 pieces of eight. This carriage too unhandsome and contradictory, and too distasteful to the other officers of the fleet that he thought not fit to try him here. Some others to blame whom he is almost afraid to send to sea, for all they meet, friends or foes, suffer little or much, the officers generally countenancing them so that the ships brought from Barbadoes were so notoriously plundered that if they had belonged to the State he could not have received them. There has been a constant market aboard the Marston Moor without any control. The Captain and some others allege it is customary to plunder and break holds, and urge Sir Rich. Stainer and Capt. Jeffreys for precedents who have done the same unrebuked, but rather countenanced. There were twenty-two chests of the King of Spain's silver which Capt. Myng stood by and saw divided, having a chest delivered to him and the Major, and not any preserved for the State. The cocoa delivered to Capt. Burough, the Steward-General, some sold, the rest given to the soldiers, and very acceptable. Two of the ships sold by inch of candle for four hundred odd pounds, the other, a good new ship fitted as a man-of-war, 350*l.* being offered though worth 1,000*l.* Fitted her with stores belonging to Mr. Beckford. Has sent home some prisoners, merchants, not being able to exchange them. Jacob Hunter, midshipman of the Marston Moor, sent in the Pearl with ten seamen and six landsmen to cruise, taken by the Spaniards. 1¼ *pp.* [*Col. Papers, Vol.* 33, *No.* 56.]

June 9. Jamaica. **319.** Cornelius Burough to [Secretary to Admiralty Commissioners]. Are at low-water mark as to provisions, the nipple is squeezed. We are once a year straitened in this manner. Gives account of their necessities, as formerly; often in suspense whether a greater offence to write or be silent. Planting prospers exceedingly well; forwarded much by Capt. Myng's late success. "Not a man on the island but can say he hath reaped a benefit by that action." The cry was 300,000*l.*, as he has mentioned; Capt. Myng believed there was 500,000*l.* in money. Believes the General mentioned in his letter 400,000*l.*; a great deal scattered amongst them. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 57.]

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June 10. Jamaica.

320. Cornelius Burough to [Secretary to Admiralty Commissioners]. Refers to his letter by the Blackamore concerning Mr. Dalyson going for New England [*see ante, No.* 315]. Respecting his difference with Capt. Myng which is but six days old, as "matter of astonishment to me, so wonder to all others." Details his visit aboard the Marston Moor with Col. Francis Barrington, when Capt. Myng broke forth into extreme passion, calling Burough rogue and rascal, who told him he was but 31 years old, and had been nine years at sea, and had the management of an estate, wife, and children, but Myng replied he meant as to the State, so thought it best to petition lest his words be made use of. Justifies all his actions. The General has as yet no Commission delayed by his Highness's death, but would not give free consent to the writer's return. 2 *pp.* [*Col. Papers, Vol.* 33, *No.* 58.]

June 14. [Jamaica.]

321. Cornelius Burough to [Secretary to Admiralty Commissioners]. The violent weather has delayed the Marston Moor's departure 4 or 5 days. Yesterday a ship from Amsterdam brought Mr. Sommers from Barbadoes with news of Mr. Dalyson who went on the Black Lion bound for New England in company with seven others for Virginia, Barbadoes, &c. Account of their voyage. John Gosling will inform him of the whole matter. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 59.]

Aug. 31. Barbadoes.

322. Minutes of the Council of Barbadoes. "It is the judgment of the Assembly, and it is hereby by them declared, that all patents formerly obtained from Oliver or Richard, late protectors for any offices within this island (except for the government thereof) be utterly void and null, and the Assembly desire the Governor and Council's concurrence hereto, and that the same be published in the parish churches as usual publications are." ½ *p.* [*Col. Entry Book* 11, *p.* 12.]

Sept. 3. Whitehall.

323. Warrant from the Council of State to Gualter Frost. On report of Committee of Council for the Affairs of Jamaica, and in pursuance of an Order of this Council of 18 Aug. last, to pay Francis Hodges 544*l.* 14*s.* 11¼*d.*, for the wives of the officers and soldiers in Jamaica one month's pay, to the widows of those who died or were slain in said service one-fourth part due to them, and to the relations of said officers and soldiers that are poorest 105*l.* out of said sum, according to directions from Lieut.-Cols. Andrews and Miller. ½ *p.* [*Dom. Interreg., I.* 107, *p.* 118.]

Nevis.

324. "An Act intituled Public Worship, &c." 1 *p.* [*Col. Entry Book* 49, *p.* 5.]

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Jan. 19. Jamaica.

325. Cornelius Burough to Robt. Blackborne. Cannot communicate to him the grief and discontent he has laid to his heart upon hearing Capt. Myng's calumniations. Has reflected on his poor mother whose letter went as a dagger to his heart to think that when she expected to have heard answerable tidings of joy and comfort she should, on the contrary, hear such a bitter outcry

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against him. "This, this, Sir, has wounded my very soul." The procuring him 200*l.*, and adventuring his credit in Burough's business is an exceeding trouble to him, but has yet hope his innocence will clear him, and that Blackborne shall have no cause to repent his charity. His mother will wait upon Blackborne, and his letter will show to what use he has employed the 7,000*l.* sent home. Calls God to witness he has not in all the world in the hands of any person directly or indirectly the value of 200*l.* Has laid in this island the foundation of a good estate; but were all his concernments together as they cost him they would not amount to above 1,400*l.*, whereof two-thirds are here in plantation, house, and stock. The bearer, Capt. Lloyd, has promised to deliver an ingenious account of several passages, a breach between Lloyd and Dalyson, occasioned through Lloyd's importunity for a larger quantity of stores than could be spared. "If we should humour all captains with what they would have, we must deny both our reason and duty. Has written to the Commissioners of the Admiralty. Wishes him happiness and prosperity in these black dismal days. 3 *pp. Endorsed,* "Recd. by the Black Diamond." [*Col. Papers, Vol.* 33, *No.* 60.]

Jan. 19. **326.** Cornelius Burough to Robt. Blackborne. Mr. Dalyson and himself have no quarrel save what arose from their employment, so no cause of remembrance of any grudge. Knows not who are now in power. We are here just like you at home; when we heard of the Lord Protector's death we proclaimed his son, when we heard of his being turned out we proclaimed a Parliament, and now own a Committee of Safety. "Sir Walter Raleigh in his preface puts the question: Have you heard of the Pharoahs and Ptolemeys of Egypt of the great palace of Susan, and of the great city of Nineveh of whom there is now not a stone upon a stone, and I may go further to look on the late desolation in Germany, Ireland, and Scotland, how hath God turned upside down those nations; England's sins are greater because they know more, and I am half afraid I desire you not to think I insinuate into you upon the account of religion (a most wicked cheat in this age), I practise more than I profess, and the miscarriages of others are stumbling blocks to others. Profession of religion makes people suspected to be knaves." Most of the people here in any eminent employment are the children of very good parents, whose prayers have prevailed with God for their sakes, and we have said it forty times we are blessed for their sakes. Hopes his letter to Lady Dalyson came to hand. Capt. Wilgress reported in London we were all drunk at proclaiming the Protector. Assures him the General himself and others did break company on purpose to show the people they knew how to limit the bounds of mirth. *Endorsed,* "Rec. 20 March 1659–60, by the Diamond." 2 *pp.* [*Col. Papers, Vol.* 33, *No.* 61.]

Jan. 20. Jamaica. **327.** Cornelius Burough to Commissioners of the Admiralty. Assures them they shall find more moderation in what he has written than they met with when Capt. Myng made his relation, but

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though no charge exhibited against him, that which invites him to speak is twofold, viz.: to give them some satisfaction in this business, and the other not to be guilty of murdering his own good name by his silence, as he hears from several gentlemen in England the Commissioners have entertained a great deal of prejudice against him, "it is impossible a pen from hence can answer his nimble tongue." Answers two of the most material passages he is charged with. Intreats them not to let the follies of his youth exasperate them against him; there is no reason for them to remember what God hath forgot. Desires their Honors to make examination of the business when "the composure of the distractions of England will admit of entertaining a thought of us," and if he be found guiltless, that he may have satisfaction of what those owe him whose pay has been stopped at home by the Commissioners of the Navy. Has sent home some of the men to the intent they may be examined. Capt. Myng has reported to their Honors that the General sent home 10,000*l.*, and himself 7,000*l.* This is just like the account he gave of his prizes; he told the General and himself he had taken 50,000*l.* in money, and there were hundreds of thousands besides. The tyranny of his affairs caused him to suspect the ruin of his family from the non-condemnation of the prizes here, and their Honors not answering the General's letter sent home in that behalf made him a little troublesome; Capt. Myng's offer to sell his jewels and to take Burough's bond. Capt. Lloyd, an honest gentleman, expects a great deal more fair quarter from him than from many others that have gone home, "they coming hither have so much English blood in their faces that they think we have none left in our hearts." Is sorry the General's name is in conjunction with his own, "as it adds to me it detracts from him," he hath deserved very much from the State. Admiral Goodson told Major-Gen. Kelsey that the General was worth 10,000*l.*, and not 10*l.* when he left us. The only difference in the complaints that have gone home against the General and himself and against Admiral Goodson is that they have got more money. The issue is short, to give account of what they have received. 4 *pp.* [*Col. Papers, Vol.* 33, *No.* 62.]

Jan. 23. Jamaica. **328.** Capt. Wm. Dalyson to his cousin Robt. Blackborne. Hopes he received his from New England, and the full account of his voyage and safe arrival here. Understands it was reported in London he was lost. Two ships arrived from London, but not any news from him or any friends. Hopes Capt. Myng's detracting speeches have not gained belief. Gives "a hint concerning Capt. Lloyd" in reference to his demand for canvas and flying into a very great passion of abuseful words, and that he would do my business at home. Related the whole story to the General, "who wondered I did not beat him in presence of Capt. Burough and many other officers." Capt. Burough exceedingly troubled for fear Blackborne should have ill-will against him. Verily believes if the General were at home to answer for himself Capt. Myng would be found no better than he is, a proud speaking vain fool, and a knave in cheating the State and robbing merchants. Has sent

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home in the Diamond 5,000 lbs. of cocoa, consigned to Capt. Beckford, of whom, if he will take the money that will pay all just demands, when Dalyson will account himself the happiest person living. Col. Francis Praington (?) going up to his quarters was unfortunately shot by a trooper and only lived about three or four hours, there will be a great miss of him. 2 *pp.* [*Col. Papers, Vol.* 33, *No.* 63.]

Jan. 24. Jamaica. **329.** Col. Edw. D'Oyley to Commissioners of the Admiralty and Navy. Refers to his letter as "an unseasonable bewailing the Protector's death, though there was cause enough as appears by the effects." Has made a hard shift to keep the seamen alive these five months, selling whatever they could spare to buy them provisions, "which course admits of much scandal to myself and the Steward General (Capt. Burough) by such here who know not that we have masters who will exact a strict account of all our actings, which time we wish would approach, until when you will not find how honestly, faithfully, and frugally you have been dealt withal here." Finds by the distractions at home little hope of provisions, so has sent home the Diamond frigate, and must lay up here all the rest unless they can victual themselves home. Though like to be ill rewarded, as he finds by the credit and impunity of calumniators, shall not fail in that duty he owes his country in general, though knows not to whom in particular. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 64.]

Jan. 27. Jamaica. **330.** Cornelius Burough to Robt. Blackborne. Wrote by the Diamond, dispatched three days hence, these go by the Hector. Knows not what place his letters will take. Prays him to be satisfied, not a bit of dirt will stick on Burough. Wishes to be satisfied that the Lieutenant of the Marston Moor delivered his papers. Dalyson is a very industrious, thriving, and indeed a very honest man. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 65.]

Jan. 31. Port Cagway, Jamaica. **331.** Capt. Wm. Dalyson ,to Robt. Blackborne. Has advised the sending of 5,000 lbs. of cocoa by the Diamond. Begs him to take of Capt. Beckford what may satisfy Dalyson's debts and then fears not to pick up a living in the world. Hopes to send more home in the Providence. Last week a party with Lieut.-Col. Tyson went out to seek the negroes; came to their plantation, and three of the chief came to Port Cagway to wait on the General. Our party remained with the rest, with whom questions not but they shall agree very well; they are to bring their wives and children to remain with us for conditions. Major Fairfax gone with another party to make conditions with them. They promise to carry our men to the Spanish Governor's quarters and to bring him in. Are now so intermixed with them and have possession of all their provisions that should they offer to go back we can with ease destroy them, which doth much encourage our people to planting and doubtless may invite many from the Windward Islands when once they may settle to work without fear of an enemy. Has set up his home here for some years and fears not

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but to do well. Is very sorry Capt. Myng should so prevail upon men at home, but doubts not he will be found out and prove himself a rash dishonest man. Is sure were Capt. Burough and the General at home, Myng would not have a word to say. It is very strange the ship he brought from Barbadoes should belong neither to the States nor merchants, but that he and his officers should pocket 4,000*l.* or 5,000*l.* sterling. Commends the bearer Capt. Robt. Hay Tubd (?). 1 *p.* [*Col. Papers, Vol.* 33, *No.* 66.]

Feb. 1. Jamaica. **332.** Col. Edward D'Oyley to Commissioners of the Admiralty. Reasons for his having given license but not order for the return home of the Hector. If the sending home the frigates be contrary to instructions or the loss of this place, is confident God will acquit him though he may be overborne by the power of men. The want of shoes and all things necessary for soldiers has this summer given such heart to the negroes that they have done more mischief than in the past two years, having snatched away a captain, two ensigns, and divers soldiers, and killed others, which hath necessitated him to set an impost on strong liquors which has had the good success of finding out where the negroes have lurked these four years undiscovered who have built a town and planted about 200 acres of provisions; is now in parley with them and doubts not a good issue. The unexpectedness of this mercy makes him hope they may receive a better account of this unhappy design and place than in human probability could be expected. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 67.]

Feb. 6. Whitehall. **333.** The Council of State to the Governor and Council of Barbadoes. Have received his letter of 8th September last giving account of their submission to the Parliament and resolution of continuing their faithfulness and obedience which is very well accepted. Suppose they some time since heard of the late interruption given to the Parliament in their councils and sittings, but withal judge it probable that before this comes to their hands they will hear of their freedom and restitution to the exercise of their trust which was brought about in such a day as bore signal testimony of God's presence with them, and owning of them, and did eminently denote the lifting up of his arm against those that would have imposed them before the interruption given. The Parliament applied themselves to those Councils which might most directly lead to peace and settlement as far as the difficulties wherewith they were obstructed through the various revolutions of Government which intervened after their first disturbance would permit, and since their constitution they have carried on their former purposes whereof you may take some measure by their late declaration in which you may read the fixedness of their thoughts to carry on the great and public ends of peace and establishment upon a foundation of righteousness, the first whereof they hope the whole Commonwealth and yourselves as members thereof will in due time reap, and therefore our advice is that you firmly adhere to your preferred resolution as that wherein you will make best provision for yourselves and the Island where Govern-

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ment is entrusted you. In the pursuing whereof they may rest assured of all due encouragement from hence, and the rather because it is acknowledged the honour and interest of the nation is much concerned in the freedom, plenty, and flourishing estate of the plantations abroad amongst which they deserve not the least esteem and value. Shall add no more at present but to invite them upon all occasions to represent to the Council their just desires, whereupon the Council shall not be wanting to do what may most conduce to the advantage and advancement of their colony and the trade thereof in ways consistent with the good of the whole, wishing them to be specially careful of the interest of God and due encouragement of godly men amongst them whereby they will in a more special manner engage the blessing and protection of God, and more oblige our respect towards you and the whole plantation. [*Dom. Interregnum, I.* 99, *pp.* 35, 36.]

Feb. 22. Port Cagway, Jamaica. **334.** Capt. Wm. Dalyson to Robt. Blackborne. Wrote fully by the Diamond and Hector, and has sent 12,400 lbs. of cocoa which he is certain will yield a far greater sum than he is engaged for. His expenses greater than formerly by reason he gets no allowance from the State. Refers to the clamour and railings of several people sent from hence against some here. Thinks Capt. Ayliett, Commander of the Coventry, will be the next to go home; the General forced to suspend him but has since restored him to his command, who has again given himself over to debauchery and drunkenness, and he stands indicted for burglary for stealing 8*l.* out of a chest, but is not prosecuted by reason of the alterations in England—our Court of Judicature is put down. His own encouragement in the State's service is very small. A line from his father would be a great comfort, he grows ancient and causes him to think he shall never see him; earnestly begs Blackbourne to procure him a letter. Lost a great friend in General Sedgwick. Has sent him a pot of their island sugar for his morning draughts. *On same sheet.*—Cornelius Burough to R. Blackbourne. In hourly expectation of the issue of a party now gone forth in conjunction with some negroes that have lately, and indeed miraculously, made peace with us. Is almost ashamed to have Dalyson write home such stuff about Capt. Ayliett, and yet there is just necessity for he might have written ten times as much and not exceeded the truth. 3½ *pp.* [*Col. Papers, Vol.* 33, *No.* 68.]

April 10. Jamaica. **335.** Cornelius Burough to Robt. Blackborne. "That which I feared has come to pass and is no small trouble to me," for he has not received any letter and concludes "you have entertained distaste against me." Dalyson is much troubled he hears nothing from his friends and will be suddenly at home. The distractions in England have influence here, and we are the more patient to bear our sorrows because of the calamities God hath made England the head. Are at peace and quiet here after a succession of sorrows, the enemy having proffered their friendship and delivered up twelve hostages to make good their promise; and they, with our men, routed and destroyed two settlements of other negroes and then

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took them to the Spanish camp where of about 140 we killed and took about 80. Desire of the Spanish Governor for peace. Intelligence that a bark would arrive with relief from Cuba, which was trepanned and fell into their hands, and the Spaniards "not dreaming of the cheat" were surprised by our men who lay in ambush. About four days since another settlement was destroyed where 30 negroes were taken. "Though the number of these was inconsiderable yet their advantages were so great that it is God's mercy a man of our regiment was left alive." A little additional help would do well. Few here desire to stay, neither can we subsist upon the terms we are upon. Expect daily a recruit of the enemy. Lady Dalyson's son will come suddenly and desire her blessing by word of mouth. 4 *pp.* [*Col. Papers, Vol.* 33, *No.* 69.]

April 10. Jamaica. **336.** Cornelius Burough to the Clerk of the Survey at Deptford. This is by the Hound, a prize ship entertained here in the service of the Commonwealth of England, but cannot keep her here for want of victuals. He may by this guess their condition. He will find how far Capt. Myng stretched in alleging this ship to be Burough's; 'tis true he brought her by inch of candle, but the price was so low it was judged convenient to entertain her in the service of the State. "Rec^{d} of Mr. Turner, 4 Sept. 1660." 1 *p.* [*Col. Papers, Vol.* 33, *No.* 70.]

April 11. Port Cagway, Jamaica. **337.** Capt. Wm. Dalyson to [Robt Blackborne]. Is not a little troubled not to receive a line from any of his friends. Has sent 4,000 lbs. of cocoa by the Hound, and hopes to come himself by the next ship, the General having given him leave, by reason there are not any stores worth any man's care, and the uncertainty of his salary. God hath blessed their design against the enemy, there being very few left. Nicholas Evans, gunner, will give account of great abuses done him by Capt. Rich. Pearie, the gunner is one of Mr. Brooks' church. Hopes to see his parents this summer. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 71.]

April 24. Whitehall. **338.** Order of the Council of State. Referring petition of divers merchants, seamen, and others trading to the West Indies concerning the future government and management of affairs of Jamaica to the Committee for Foreign Plantations, who are desired to confer with the Commissioners of the Admiralty and Navy how they may be carried on with most advantage to the State, and how the ships intended hither may be best employed to that end; Mr. Bovey, Secretary for Foreign Plantations, to give his assistance. *Signed by* W. Jessop, Clerk of the Council. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 72.]

April 27. **339.** Order of Committee of Council for Plantations on petition of John Treworgy, Commander of the Colony of this Nation in Newfoundland. That it be referred to Mr. Povey, Secretary for Foreign Plantations, to state the matter of fact and the several interests and titles, and what may be expedient to be done there

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for the advantage of the State, and report same to this Committee. Also to advise with Commissioners of Admiralty and Navy about shipping for assisting and securing the fishing trade for the season. Also to confer about Capt. Watts' propositions concerning Jamaica. *Signed by* Sam. Hartlib, Clerk to said Committee. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 73.]

April. **340.** "Proposals touching Jamaica." By General Penn's command gives account of the state of affairs in Jamaica. The island cannot be preserved for the English unless the harbour of Cagway be made capable of defending the ships, being the chief port, and the fortifications begun be completed. The want of provisions preventing the Army drawing together, they being quartered at a hundred miles distance, and not one day's provisions in store. Two months' provisions would enable them to oppose any army of the enemy. Necessity of small boats to finish the fort and expeditiously transport the soldiers upon an alarm. Immediate necessity for provisions for 1,800 soldiers and 300 sailors, and for good plying frigates. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 74.]

May 11. Whitehall. **341.** Order of the Council of State. To permit Mary Tyson to repair to her husband Lieut.-Col. Edward Tyson, in Jamaica, in the ship Bear now bound thither, with accommodation for two maid servants and one man servant. *Signed by* Jo. Rushworth, Clerk of the Council. ½ *p.* [*Col. Papers, Vol.* 33, *No.* 75.]

May 15. Whitehall. **342.** Order of the Council of State. That it be referred to the Commissioners of the Admiralty and Navy to accommodate Mrs. Elizabeth Archbald and servants with necessary provisions usually allowed to passengers to Jamaica on her voyage to her husband there. ¼ *p. Signed by* Jo. Rushworth, Clerk of the Council. [*Col. Papers, Vol.* 33, *No.* 76.]

May 17. Whitehall. **343.** Order of the Council of State. That the Commissioners of the Admiralty and Navy be desired forthwith to dispatch away the ships bound to Jamaica. *Signed by* Jo. Rushworth, Clerk of the Council. [*Col. Papers, Vol.* 33, *No.* 77.]

May 19. Whitehall. **344.** Order of the Council of State. That petition of Col. Samuel Barry, praying for an order to transport ten servants to Jamaica for his plantation, be referred to Commissioners of Admiralty and Navy. *Signed by* Jo. Rushworth, Clerk of the Council. [*Col. Papers, Vol.* 33, *No.* 78.]

May 27. Jamaica. **345.** Cornelius Burough to [Commissioners of the Admiralty]. Encloses accounts of the ship Pearl, Cagway, and Chesnut, the two former entertained in the State's service here. Capt. Daniel Heeling, the Commander, is a better Captain than Purser, and knows better how to wade thro' the difficulty and danger of the one than the intricacy of the other. If Capt. Myng be as equally believed in the commendation of Capt. Heeling as he hath been in the

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defamation of Burough, Keeling will not then need an advocate. Only one ship more left, the Coventry frigate. "The enemy in our bowels, to whom our lives have been a prey, and many men have been subjected to their mercy (I mean the negroes) are now become our bloodhounds, and we are daily making depredations on them, and they are in our behalf more violent and fierce against their fellows than we possibly can be." *Annexed,*

345. I. The accounts above referred to, of stores and provisions furnished by Cornelius Burough, Steward General, to Capt. Dan. Heeling for the ships Chesnut, Pearl, and Cagway. Jamaica, 1660, May 25.

345. II. Receipt of the warrant officers of the Chesnut for 8*l.* 10*s.* received on account of their pay from Cornelius Burough. Jamaica, 1660, May 27.

345. III. Certificate of C. Burough of the mistake of a year in the service of Geo. Douglas, of the ship Cagway, entertained in the State's service from 16 March 1656[–7]. Jamaica, 1660, May 26. *Together,* 6 *pp.* [*Col. Papers, Vol.* 33, *Nos.* 79, 79 I., II., III.]

May? **346.** Petition of James Neale to the King. For an answer to his request presented at Breda, when the reply was that his Majesty would grant no places till his return to England, but would then consider him. *Annexed,*

346. I. Petition of James Neale to the King. For the office of Treasurer of Virginia, void by the death of Jerome Hawley. He and his father lost blood and estate in his Majesty's service, and now joyfully expect his speedy restitution. With order thereon. [*Dom. Chas. II., Vol.* 1, *No.* 132.]

July. **347.** Grant to Francis Carr of the office of Provost Marshall General in Barbadoes. [*Dom. Chas. II., Docquet Bk., p.* 13.]

August. **348.** Grant to John Dawes of the office of Secretary and Clerk of the Courts in Barbadoes during life. [*Dom. Chas. II., Docquet Bk., p.* 37.]

Oct. 17. **349.** Proposal for a Commission to empower Daniel Searle, Governor of Barbadoes, Owen Martin, and Humphry Seaward, merchants, and Clement Everard, Governor of St. Christopher's to call to account the Commissioners for Prize Goods on said islands, and said Martin and Seaward to proceed against them for recovery thereof; of which goods they shall ship home the full half part, consigning it for the King's use to Mr. Loving, one of the tellers of Her Majesty's Exchequer; and said Martin and Seaward to be allowed the other half for their discovery and pains, "in respect of the interest therein he intends to Col. Veele, who hath both faithfully served him and his royal father." With note from Thos. Earl of Southampton to Sec. Nicholas, that his Majesty is pleased that letters be written to the governors of both islands, to

1660.

said effect. "A true copie examd." 1½ *pp.* Said letters were signed by the King, 10 Dec. 1660, and the Attorney-General was directed to prepare the Commissions asked for. *See Col. Cal.*, 1661–1668, *pp.* 68, 69, *Nos.* 213, 214. [*Col. Papers, Vol.* 33, *No.* 80.]

Nov. ? **350.** Petition of John Cole, Master of the May Flower, of London, bound for Virginia, to the Council. For leave to transport 100 passengers and provisions for their use, and that of the plantation. *Annexed,*

350. I. Note of the provisions required for the aforesaid ship. [*Dom. Chas. II., Vol.* 22, *No.* 141.]

Nov. ? **351.** Petition of John Clark and Henry Harlinge to the King. For Letters Patent to keep a Register Office for all servants and children to be transported to Virginia and Barbadoes, to which office all shall be brought under penalty, to declare their willingness to go, in order to prevent the abuses of forcible transportation of persons without their own or their parent's consent. [*Dom. Chas. II., Vol.* 22, *p.* 138.]

[Dec. 1.] **352.** Instructions for the Council appointed for Foreign Plantations. *Duplicate of paper in first volume of Col. Calendar, pp.* 492, *No.* 59 I., *but indorsed by Williamson.* Earl of Sandwich, Lord Arlington, Sir Thos. Overbury, Sir Ralph Verney, Mr. Gray, Col. Lynch, Dennis Nonsuch, and J. Williamson. 5½ *pp.* [*Col. Papers, Vol.* 33, *No.* 81.]

[Dec. 18.] **353.** Report of his Majesty's Commissioners for the Affairs of Tangiers to whom the intended despatch for Jamaica was referred. Advising that 1,000 firelocks, 50 cases of holster-pistols, 50 saddles with their furniture, and 2 hhds. of flints ready fitted be sent thither. In Sec. Williamson's handwriting. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 82; *also Col. Entry Bk., Vol.* 27, *p.* 297.]

Dec. 27. Nevis. **354.** Act of the Assembly of Nevis in obedience to an Act of Parliament forbidding all strangers and foreigners and their ships to export commodities of this island. *Signed by* James Russell, Governor; John Proctor, Capts. Randall Russell, Mich. Smith, Robert Trewethin, David Howell, Fra. Kaynell, and Lt. Daniel Kanhather of the Council; and Capt. Tho. Fitzjames, Lts. Roger Earle and Richard Halse, Thomas Ayson, Lts. Willm. Howard, Willm. Childs, Albinus West, and George Gardiner, John Abbott, senr., and John Cade. 2 *pp.* [*Col. Entry Bk, No.* 49, *pp.* 11 *and* 12.]

Dec. **355.** Grant to Lord Willoughby of Parham, his executors and assigns, of all such prize ships, ordnance, furniture, ammunition, tackle and goods, and all the proceeds thereof, as have been seized at sea or on land near the islands of Barbadoes, St. Christopher's, or other the Caribbee Islands since the beginning of 1645. [*Dom. Chas. II., Docquet Bk., p.* 66.]

1660.

356. Petition of Edmond Cowse to the King. That on account of his loyalty he has endured sundry crosses and persecutions to his great ruin. And whereas the clerkship of the common pleas in Barbadoes is vacant, prays for a grant of same. "R. Hoare scripsit 1660." [*Col. Papers, Vol.* 33, *No.* 83.]

1660 ?

357. Petition of Robt. Nedham to the King. That he has constantly performed his duty to his Majesty in all the late changes, and being proscribed by that tyrant Cromwell made his escape. Prays the King to confer upon him the estate of Constans Sylvester in Barbadoes, forfeited by being a foreigner. "This man, by birth a Dutchman, by profession an Anabaptist, was employed by those of that sect in Amsterdam to follow their trade in those parts, in which trust he cheated his employers, behaved himself dishonestly towards all, was a professed enemy to your Majesty's cause, and a great asserter of the rumps. He has neither wife nor children which may suffer by his just punishment, and it is not only mine but the petition of the whole island to have him extirpated." 1 *p.* [*Col. Papers, Vol.* 33, *No.* 84.]

358. Proposition of Mr. Stroud about mines in Jamaica. For 3 men if entered as soldiers at 5*l.* per man, 15*l.* For tools to work, and several other necessary utensils, 20*l.* For his expense in this affair, 100*l.* ½ *p.* [*Col. Papers, Vol.* 33, *No.* 85; *see also Col. Entry Bk., Vol.* 27, *p.* 301.]

359. Proposals of P. Lynch to the Lords of the Council concerning Jamaica affairs. That provisions and supplies be sent to the 2 fourth rate ships now at Jamaica; that the amount of stores and ammunition for this ship be fixed this week; that 2,000*l.* deducted from the ammunition, would help to finish the fort at Cagway, and do more service that way; that the possibility of defending the town, harbour, and island be considered, "there being never a tenable fort;" and that a further Commission for the command of the army and fleet, and fuller instructions "how to transact with the Spaniards," be sent to Lt.-Colonel D'Oyley. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 86; *also Col. Entry Bk., Vol.* 27, *p.* 299.]

360. Petition of John Man, Merchant to the King. That he has lately arrived from Jamaica, in the settlement whereof he has been instrumental, and desires to return with merchandize and servants to be further assisting in the planting. Has for many years studied mathematics, and practised the art of surveying land; and understanding that a gentleman totally ignorant of mathematics intended to petition for the office, prays his Majesty grant of Letters Patent for the office of Surveyor General of the Island of Jamaica. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 87.] *In January* 1661 *there is the docquet of a grant to John Man, of the office of Surveyor General in Jamaica, see Col. Cal.,* 1661–1668, *p.* 4, *No.* 14.]

1661.
Jan. 26. **361.** Grant for the government of his Majesty's people in Newfoundland and on the seas adjoining. Recites his late Majesty's Letters Patent of 10th Feb. and confirms the same. That any man killing another or stealing to the value of 40*s.* be arrested, brought to England, and delivered to the Earl Marshal; no ballast or prestones to be thrown into the harbours; no person to destroy any stage or cookroom, but to fetch timber out of the woods for repairs; and the ship first entering to be Admiral of the harbour. Regulations against any ship reserving more of the beach than needful, to the prejudice of others; defacing the marks on boats or train fats to defraud the right owners; purloining fish, salt; setting fire to the woods, or rinding trees for any other uses except covering the roofs of cookrooms, which shall not exceed 16 feet in length; casting anchors or aught hurtful to the hauling of seines for bait; and stealing bait, nets. No person to set up a tavern for selling wine, beer, strong waters, cider, or tobacco, by which the fishermen are debauched, neglect their labours, spend their shares on which the maintenance of their families depends, and other disorders. Divine service to be said on Sundays by some of the Masters or others from the Book of Common Prayer. And further, his Majesty straitly forbids all owners of fishing ships to carry to Newfoundland any other persons than are of their own or other ship's Companies, or on their hire, or that intend to plant or settle there. That speedy punishment be inflicted upon offenders against the laws his Majesty ordains as formerly ordained by his late Majesty [in his Grant of 13 Nov. 1637 to James Marq. of Hamilton, Phil. Earl of Pembroke, Henry Earl of Holland, and Sir David Kirke, *see First Vol. of this Cal., p.* 260], that the Mayors of Southampton, Weymouth and Melcombe Regis, Lyme, Plymouth, Dartmouth, Eastlowe, Foy, and Barnstaple take cognizance of complaints of such offences and punish the delinquents by fine and imprisonment; Vice-Admirals in Southampton, Dorset, Devon, and Cornwall to proceed against all offences committed at sea. These presents to be proclaimed by the Admiral in every harbour this next season, and also on shore. [*Pat. Roll* 12, *Chas. II., pt.* 17, *No.* 30.]

Feb.? **362.** Petition of Jeremiah, Nathaniel, and Simeon Bonnell, Edward Bernard, and Thomas Rastall, of London, Merchants, to the King. Petitioners formerly had a grant of land at Morant, in Jamaica, for the settlement of which they spent 1,500*l.*; but through the absence of Mr. Povey, Commissary of the Army in those parts, to whom it was entrusted, all the stock and improvements are lost. Pray for letters to the Commander-in-Chief there to confirm to them and their Attorney, Captain Butler, all their former grants. *Endorsed,* "Ref. Com. Trade." 1 *p.* [*Col. Papers, Vol.* 33, *No.* 88.]

Feb.? **363.** Another petition of the above-named persons to the King. That they find Povey converts all to his own use and gives occasion for all merchants to adventure no more for the settlement of new colonies. Pray that their grants of land in Jamaica may be con-

1661.

firmed, that Capt. Gregory Butler may be possessed of their rights, and that he may have passage with twenty English servants in one of the King's ships bound for Jamaica. [*On* 18 *Feb.* 1661 *this petition was referred to a Committee, who were directed to draw up an address to the King asking leave accordingly, see Col. Cal.*, 1661–1668, *p.* 11, *No.* 32.] 1 *p.* [*Col. Papers, Vol.* 33, *No.* 89.]

March? **364.** Petition of Major William Clayton to the King. That his actings and sufferings are not altogether unknown to his Majesty. Is utterly destitute of any employment, and has not yet tasted the King's bounty in any particular. Confident that he may do his Majesty good service in Jamaica, as in the annexed proposals will appear, prays for the Government of the Island. *Annexed,*

364. I. Proposals of Major William Clayton and friends for the improvement of his Majesty's interest in Jamaica. His Majesty has been put to the expense of 50,000*l.* in setting out 4 ships to Jamaica; that he constitute Major Clayton Governor of the island, and loan him 3 or 4 ships which he and his friends will victual and man at their own cost. They propose to transport one thousand servants to be formed into a regiment, well officered and disciplined, and maintained at the charge of the adventurers; and this regiment, being settled in a plantation district, may be looked upon as a standing strength of the island, whilst the officers, being advisedly chosen, may be a means of bringing the island to a better conformity with the Church of England, and prevent its becoming no better than a nursery for schism and faction, as the plantations of New England "too sad an experiment have so unhappily done." The soldiers in the King's pay may in some short time be maintained "as in other plantations by a poll rate." Major Clayton by his knowledge of physic, and the temperature and diet of the Indies, hopes also to render the island more healthy, especially the northern part. [*Lord Berkeley presented the above proposals to the Council for Foreign Plantations, who desired Major Clayton to attend on* 1 *April* 1661, *see Col. Cal.*, 1661–1668, *p.* 10, *No.* 56.] 2 *pp.* [*Col. Papers, Vol.* 33, *Nos.* 90, 91.]

365. The King's license for Richard Anguish, Clerk, to travel for three years for the purpose of visiting Montserrat and settling his estate there, whither during the late distractions in England he had been forced to retire. *Draft, with corrections, in Williamson's handwriting.* [*This probably refers to Richard Angus, who was Secretary in Montserrat in Sept.* 1664, *see Col. Cal.*, 1661–1668, *p.* 235, *No.* 804 II.] 1 *p.* [*Col. Papers, Vol.* 33, *No.* 92.]

1662?

366. Petition of Sir Edward Ford, Knt. [of Harting, Sussex], to the King. That the Government of the Bermudas is enjoyed by a small number of tradesmen who have incorporated themselves,

1662 ?

under pretence of a Charter depending upon the old vacated Charter of Virginia, and usurped sovereignty over his Majesty's subjects there. Prays for a grant of Governor which is in the Royal Prerogative. *See also Petition of Capt. Trafford to be appointed Governor, Col. Cal.*, 1661–1668, *p.* 111, *No.* 372. *Endorsed by Williamson*, "Sir Edw. Ford." 1 *p.* [*Col. Papers, Vol.* 33, *No.* 93.]

1662.
April 16
1663.
April 9.

367. Certificate of the Governor and Company of the City of London for Plantation of the Somers Islands. In obedience to his Majesty's command they have collected from their Books of Record, Entries, and Register an account and survey of all lands, houses, plantations, and possessions of Owen Rowe, Cornelius Holland, and Sir John Danvers in said islands in the year 1648, or since, and find that Owen Rowe in 1648 possessed 4 shares, and bought 1 in 1664 (*sic*), two of which were passed over to others in 1649 and 1658; that Cornelius Holland in 1648 possessed 4 shares, bought of Francis Meverell, which were decreed to Humphry Meverell in 1658; that Sir John Danvers possessed in 1648 12 shares, which were sold by Lady Grace Danvers, his widow, in 1659, to Nathaniel Smith, Merchant Taylor of London, for 270*l.* There are also other transfers signed by John Heydon, Deputy Governor, 16th April 1662. With further certificate that, 15th May 1662, information was received that Cornelius Holland had besides 2 shares in Paget's Tribe, for which he regularly received the rents, but it could not be learned of whom he purchased them. Signed by John Heydon, Deputy, 9th April 1663. 3 *pp.* [*Col. Papers, Vol.* 33, *No.* 94.]

1662–63.

368. Account of the general lands belonging to the Somers Islands Compy., taken out of Richard Norwood's survey book by him made in the years 1662, 1663 (*printed in Lefroy's Memorials of the Bermudas, Vol. II., pp.* 646–655). With note that the lands in the Somers Islands are divided by Mr. Norwood's book, and at their being first set out into eight tribes, viz., Hamilton, Smith's, Devonshire, Pembroke, Paget's, Warwick, Southampton, and Sandys Tribes, each of which contains 50 shares of 25 acres each, or 1,250 acres, except the last which contains 1,268 odd acres. There is also a summary of the common, public, and unappropriated lands, amounting to 83 shares, and a statement by Ri. Banner, Secretary to the Company, dated Augt. 4, 1684, that he cannot give so particular an account of the present distribution of these shares; but there is none of them but are applied to some public use in the Island, and the Company have not diverted them, nor aliened any of them to any private person or use. *Endorsed*, "Rec^{d} from M^{r}. Banner, Sec^{y}. to the Company 25 Sept. 1684." [*This latter portion is printed at length (from another document) in Lefroy's Memorials of the Bermudas, II.*, 655–717.] 13 *pp.* [*Col. Papers, Vol.* 33, *No.* 95.]

1664.
March ?

369. The King to Sir Chas. Lyttelton, Deputy Governor of Jamaica. License to return home by the first convenient passage. To make prudent provision for the government of the island that the King's affairs be not prejudiced. [On 1 Feb., Sir Chas.

1664.

Lyttelton asked leave to return for his health's sake and other personal affairs. He left Jamaica, 2 May 1664, *see Col. Cal.*, 1661–1668, *pp.* 184, 240, *Nos.* 650 *and* 814.] *Draft with corrections by Williamson,* 1 *p.* [*Col. Papers, Vol.* 33, *No.* 96.]

1664? **370.** Petition of Marina Hunlock, relict of Col. Mitchell, to the King. For His Majesty's letters to the King of Spain for restoring the Virgin Pink, freighted by petitioner's late husband, who served in Jamaica under Lord Windsor her brother, which ship was captured by an Ostend man-of-war on Feb. 1, 1663, and is detained at Pontebreda in Spain; and for the release of Capt. Swadle and Edward Bray, her servant. [Col. Wm. Mitchell died about March 1664, *see Col. Cal.*, 1661–1668, *p.* 194, *No.* 690.] 1 *p.* [*Col. Papers, Vol.* 33, *No.* 97.]

1664 to 1765. **371.** A large folio M.S. volume of 433 pages containing abstracts of the record of all grants of land in New York from the first establishment of the Colony in 1664 to the end of the administration of Lieut.-Gov. Delancey in 1760, and from 1761 to 1765, wherein is specified the names of the grantees, the date of the grant, the quantity granted, where the quantity is expressed in the grant and the quit-rent where any is reserved. Divided into ten counties, a certificate signed by Geo. Banyan, Deputy Secretary, being appended at the end of each county.

The city and county of New York is comprised in 81 pages, and the first grant by Govr. Nicolls is to Elizabeth Tyse of a house and tenement, dated 26 Feb. 1665[–6]; the county of Richmond has fifty pages, the first grant by Govr. Nicolls of 500 acres on the south part of Staten Island is to Capt. Wm. Hill, dated 4 Oct. 1664; King's County has twenty-four pages, and the first grant is to Elbert Elbertsen of a parcel of land on the western part of Long Island, dated 1 Nov. 1667. Queen's County contains seventeen pages, and the first grant is to John Richball of a parcel of land on the north side of Long Island, dated 10 Dec. 1665. The county of Suffolk has also seventeen pages, the first grant being to David Gardiner of an island on Long Island by the Indians called Manchonack, by the English the Isle of White (*sic*) and now commonly known by the name of Gardiner's Island, dated 5 Oct. 1665. The county of Westchester is contained in twenty-nine pages, and the first grant of a tract of land near the town of Westchester to Edward Jessop and John Richardson is dated 25 April 1666. Dutchess County has twelve pages, and the first grant of a parcel of land on the east side of Hudson's River by Govr. Dongan to Francis Rombouts, Jacobus Kipp, and Stephanus Cortlands is dated 17 Oct. 1685. The county of Ulster is contained in sixty-nine pages, the first grant of about 1,000 acres of land in Esopus to Jerominus Ebbing being dated 5 Dec. 1666. The county of Orange has twenty-five pages, and the first grant of a tract of land on the west side of Hudson's river called Pessatink to Harman and Theunis Dowsen is dated 25 Oct. 1687; and, lastly, the county of Albany is contained in ninety-eight pages, and the first grant by Govr. Nicolls to the Commanding Officers of Fort Albany of a

1665.

parcel of pasture and marsh ground adjoining Fort Albany is dated 25 Sept. 1665. [*Col. Entry Bk., No.* 71.]

Jan. 20. Cayenne. **372.** [M. le Febvre] to his brother, the Abbé le Febvre. In sending a ship to Surinam for the cure there of their fugitive soldiers, hazards sending this letter viâ England. Has been dangerously ill with a fever and is not yet well. Two hundred men have died, but the 400 who remain are well. Is surprised the Comp. delay sending a ship; it is nine months since they had news from France. Account of a great fire which burnt the fort, powder, and most of their arms which must be replaced. Very rough weather at sea and loss of cattle. They have the finest weather in the world from July, and those who say it rains nine months have greatly lied. Since Xmas they have had at full and new moon kind of gnats or mosquitos [*cousins*] which annoy them for 3 or 4 days. Begs him to send 2 muskets "du Bourguignon," 2 pairs of pistols "de chez Benicour ou Doublet," an army case of 12 or 18 flagons, the History of France by Mezeret or Dupleix, and some stuff, chamois skin, calico, gloves, riband, &c., and above all to take care that sheep are sent them. Sends his respects to his mother and all the family. *French.* 2½ *pp.* [*Col. Papers, Vol.* 33, *No.* 98.]

Jan.? **373.** The King to the Governors of the Plantations. Whereas we have suffered many wrongs and indignities from the East and West India Companies and other subjects of the United Provinces, and have not received satisfaction, his Majesty, by advice of his Privy Council, has ordered a general seizure of their persons, ships, and goods, and has likewise given commission to the Duke of York to grant letters of marque, whose orders and instructions they are required duly to observe. *Draft,* 1½ *pp.* [*Col. Papers, Vol.* 33, *No.* 99.]

March? **374.** Petition of John and Peter Boschman, his son, natives of Holland, to the King. For letters of denization under the Great Seal, being merchant planters in Antigua. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 100.]

March? **375.** Petition of Peter Coene and Peter Coene, his son, natives of Holland and planters in Antigua, to the King. For a Warrant for Letters Patent of denization. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 101.]

March? **376.** Petition of Henry Meyer, Louis Cheverier, Nicholas Byer, and Rowland Johnson, to the King. Merchants, planters, and inhabitants of Antigua, where petitioners, being aliens, have long lived in obedience to his Majesty, they desire a special warrant for letters of denization, so they may with security enjoy their estates and a free trade. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 102.]

1667. **377.** "New Plantation at Cape Florida, Carolina."

Notice is hereby given to all ingenious and industrious persons that there is a new plantation begun 2 years since on the main land between

1667.
Shaftesbury Papers.

Virginia and the Cape of Florida, at a place called Cape Fear, in the Province of Carolina, in the latitude of about 34 degrees. It is a climate most desirable for its temperature and fertility, as those that are there have written, and those lately come from thence do testify; they have two crops of Indian wheat in one year, and all grain, plants, and seeds that they commit to the earth do prosper exceedingly. They have naturally growing abundance of most stately timber of most sorts in England, but very many other sorts not known to us, as cedar, pines, sassafras, and other sweet woods; vines, also mulberry and olive trees, from whence come the three rich commodities of wine, silk, and oil. They have abundance of turkeys and other fowl in the woods, and great store of sturgeon, salmon, and many sorts of other good eating fish, both flat and round. They have since planted and produced very excellent tobacco, indigo, cotton, and potatoes, and other roots and fruits proper to Barbadoes, Virginia, and Bermudas, the nearness to which last places makes the planting thereof more easy. The privileges wherewith it is endowed makes it yet more desirable, the principal whereof follow:—

1st. There is full and free liberty of conscience granted, that those that are truly conscientious may have liberty to worship God according to their own way, provided they behave themselves orderly towards the Civil Government.

2nd. They shall choose from among themselves 13 persons or some other odd number, one whereof the Lords will appoint for Governor, and half of the other for his Council, which Governor is to rule for three years, and then learn to obey.

3rd. They shall choose from among themselves an Assembly (in the nature of a Parliament), who shall have the sole power of making all laws and laying taxes when need requires for the use of the Colony, and the Governor and Council to see the laws put in excecution.

4th. They are to have freedom from custom in England for all wine, fruit, currants, almonds, oil, olives, and silk they can produce for seven years, to commence when four tons of those commodities are at once imported in one ship.

5th. Every man and woman that transport themselves before the 24 June next, being 1667, shall have for himself, his wife, and each of his children, and every man servant he shall bring armed with a firelock or matchlock, musket statute bore, with 10 lbs. powder, 20 lbs. of bullet, 100 acres of land for each of them, to him and his heirs for ever, paying for every 1,000 acres 10*s*. per annum to the Lords for an acknowledgment, and for every woman servant and slave 50 acres.

6th. Every servant at the expiration of their service (which is four years) are (*sic*) to have the same quantity of land for him or herself that their master had for their bringing over and on the same conditions. Also the master is bound to give them two suits of apparel and a set of tools to work with when he is out of his time.

If any desire to transport themselves thither, or servants desire to be entertained, they may take the opportunity of the Virginia fleet, and from thence find easy passage thither, it being but three or four days' sail, and if they require further advice or information, let them repair to the (*blank in orig.*).

Endorsed as above. [*Shaftesbury Papres, Section IX., Bundle* 48, *No.* 83.]

378. Proposals by John Whitty for the inhabiting of Carolina and for building of cities and towns for the said Colony. That the

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King lend one of his great Flemish prizes to transport people free, the Lords Proprietors to victual and man said ship and to set down all people that will go free into said Colony. The freight which said ship will make from Barbadoes or Virginia will re-imburse their Lordship's charges and 800*l.* advantage which Whitty will engage. For building cities and towns, that the Lords Proprietors send six house carpenters, six bricklayers, three brickmakers, two joiners, and 30 other servants, some to plant corn and vines, and to look after cattle and hogs, said people to be servants for four years. When said houses are built, to let the tenants have their dwellings rent free for three years, after which time the rents to be paid to the Lords Proprietors. This will cost 1,200*l.* besides their clothing, and at the end of four years their Lordships will have cattle there worth 400*l.* Conjectures this to be the cheapest way of building cities and towns, where artificers, shipwrights, and other tradesmen will dwell and cause traffic and trading to all parts of the world and make the Colony famous. That fifty acres of land be allowed to every person young and old that shall be exported to that Colony. That the King grant the first lading of every ship built in the said country custom free, which New England had for many years. That said inhabitants may trade with goods of their own growth in ships built there into any port in Christendom, which he conceives will be the only means to put that Colony into a flourishing condition and to invite artificers and men of estates to inhabit there. 1½ *pp.* [*Shaftesbury Papers, Section IX., Bundle* 48, *No.* 68.]

1667? **379.** The reasons to be annexed to the answer of the Burgesses which they have already presented to the Governor and Council of State of Virginia. In reference to the quantity of tobacco to be planted yearly in the Colony; the prejudice to the Colony to propound a stock of money to be yearly provided to take off their tobacco at a certain price; the inconvenience and prejudice of building warehouses to bring their tobacco to; the impossibility of giving a general account of the present engagements of every particular man; and their full confidence in Lord Maltravers or any other whom the King shall appoint for supplying them with a coin. [*Col. Papers, Vol.* 33, *No.* 103.] *There are several papers in* 1667, *in a previous volume of this Calendar, about a cessation of planting tobacco which was reported upon by the Lords Committee of Trade and Plantations on* 30 *Oct.* 1667. *Lord Maltravers had license to stamp farthing tokens in* 1639 *for* 21 *years, and "utter the same" in all his Majesty's plantations except Maryland, see Col. Cal.,* 1574—1660, *p.* 290.]

380. Styles and titles of Charles, Earl of Carlisle, Governor of Jamaica; Thomas, Lord Culpeper, Governor of Virginia; Sir Jonathan Atkins, Governor of Barbadoes, St. Lucia, St. Vincent, Dominica, and the rest of the Caribbee islands lying to windward of Guadaloupe; Col. Stapleton, Governor of St. Christopher's, Nevis, Montserrat, Autigua, Barbuda, and Anguilla lying to leeward from Guadaloupe to St John de Porto Rico; and Edward Cranfield, Governor of New Hampshire. 1 *p.* [*Col. Entry Bk., Vol.* 110, *p.* 1.]

1668.
July 3. **381.** The King to Sir Thos. Modyford, Governor of Jamaica. Whereas Solomon Gabay Faro and David Gomes Henriquez made free denizens of England and recommended to him on behalf of some considerable merchants, who suppose it may be for the benefit of the Colony, so long as they behave themselves, to remain upon the island and freely to trade there. Countersigned by Sec. Sir Wm. Morrice. 1 *p.* [*Col. Entry Bk., Vol.* 110, *p.* 7.]

1670.
March 22. **382.** The King to Sir Wm. Berkeley, Governor of Virginia. Is informed that Richard son of John Mompesson of Tidworth, co. Wilts, was in 1667 by undue means inveigled on board the Elizabeth, Capt. Rich. Hobbs, and on his arrival in Virginia was, with John Crew and Mary Cousens, delivered to Wm. Drummond living near James Town, as consigned to him from John Currer in London. But said Richard Mompesson, by the persuasion of those evil men who brought him on board, assumed the name of Richard Davis. Requires him to cause the above named young man to be taken out of the hands of said Drummond and to deliver him to Col. Willis, a person well known to the Governor, to be disposed of according to the directions of Sir Thomas Mompesson or said John Mompesson. Countersigned by Sec. Sir John Trevor. 1 *p.* [*Col. Entry Bk. Vol.* 110, *p.* 17.]

April 6. **383.** The King to the Deputy Governor, Council and Assembly of Barbadoes. William Lord Willoughby hath long since presented his Majesty with the addresses and humble requests of the inhabitants of Barbadoes and the rest of the Colonies in the West Indies which the King had taken into consideration before this time and made resolution suitable to their necessities, "but that our Parliament and other intervening occasions of very great importance have hitherto employed our time and thoughts." His Majesty has thought fit to continue Lord Willoughby Governor by new Letters Patent, and the King's public affairs drawing towards a happy conclusion he will speedily consider the concerns of that Government and give such directions as shall witness his royal care of and "gracious regards towards you all" which they will do well to communicate to the Governors of all said Colonies. Countersigned by Sec. Sir John Trevor. 1 *p.* [*Col. Entry Bk., Vol.* 110, *p.* 20.]

July 11. **384.** Warrant to the Attorney or Solicitor General. To prepare a grant to Christopher Duke of Albemarle, Wm. Earl of Craven, John Lord Berkeley, Anthony Lord Ashley, Sir Geo. Carteret, Sir Peter Colleton, their heirs and assigns, of the islands of Bahama, Elutheria, Ventris Providence Inagua, and all other islands lying within 22 deg. to 27 deg. nor. lat., commonly called the Bahama islands or the Lucayos, with all rights, profits, &c., for ever in free and common soccage as of our manor of East Greenwich, under the rent of one pound of fine silver as often as the King, his heirs and successors, shall visit said islands. Said islands to be a County Palatine with the same privileges as were granted by the Patent of 3 June 1665 for Carolina. Countersigned by the Sec. Sir John Trevor. 2 *pp.* [*Col. Entry Bk., Vol.* 110, *pp.* 22, 23.]

1670.
July ? Virginia. **385.** Case of Robt. Bullock. About 1626 Capt. Hugh Bullock planted an estate of 5,500 acres, in Virginia, which, at his decease in London 16 years ago, he bequeathed to his grandson Robert, then an infant. Some of the adjoining planters have entered upon the plantation and claim it as their own. Requests a letter of recommendation to Sir William Bartlett (Berkeley), Governor of Virginia, whither he is going to make out his title to the property. ½ *p.* [*Col. Papers, Vol.* 33, *No.* 104.]

Aug. 2. Whitehall. **386.** The King to Sir Wm. Berkeley, Governor of Virginia. Robert Bullock having presented a petition complaining of vexatious delays in the prosecution of his right to an estate he alleges to be descended to him in Virginia, the King signifies his pleasure that said petition be examined, and speedy and impartial justice be done the petitioner according to the merits of his case, his occasions requiring his presence here, and will not permit unnecessary delay, just and favourable dispatch being the principal end of this his Majesty's recommendation. Countersigned by Sec. Sir John Trevor 1 *p.* [*Col. Entry Bk., Vol.* 110, *p.* 24.]

1671.
March 27. Whitehall. **387.** The King to the Governor of Barbadoes. After the death of Fras. Cradock, his Majesty conferred the office of Provost Marshal upon James, one of the Grooms of the Bedchamber, upon whose surrender the King granted said office to Edwin Steed by Patent [dated 22 June 1670] during life. But understanding that some of the inhabitants of Barbadoes, to the derogation of our authority and discouragement of said officer, have made a certain pretended Act for abating the fees and taking away some of the privileges of the Provost Marshal granted by said Letters Patent, whereby said office will speedily fall to nothing, and the public service inevitably be neglected, the King has thought fit to let him know that such proceedings are an entrenchment upon his royal authority, and therefore requires that the usual fees be continued to said Edwin Steed with all his privileges mentioned in said Letters Patent, and particularly that of appointing Marshals in the several Courts erected or to be erected. And the King hereby annuls any act, order, or restraint whatsoever made in Barbadoes to the prejudice of the Provost Marshal, and contrary to said Letters Patent. Countersigned by Sec. Sir John Trevor. 2 *pp.* [*Col. Entry Bk., Vol.* 110, *pp.* 27, 28.]

Aug. 26. Whitehall. **388.** The King to [Sir Wm. Berkeley, Governor of Virginia]. Is given to understand that one Thomas Shaw, of the county of Westmorland in Virginia, having in the heat of a difference unfortunately wounded one (*blank*), whereof he died, hath received sentence of death, but that the Governor hath reprieved him until April next, to the end he may endeavour to procure his pardon. Upon humble supplication on his behalf the King requires the Governor to continue the reprieve already granted to said Thomas Shaw until his Majesty's further pleasure, and that in the meantime he enjoy his liberty without molestation. Countersigned by Sec. Sir John Trevor. 1 *p.* [*Col. Entry Bk., Vol.* 110, *p.* 33.]

1671.
Dec. 7. Whitehall.

389. The King to the Governor of Montserrat. John Devereux, late an inhabitant of that island and Lieutenant of a Company in the King's service, has complained by petition that he was on 10 June last assaulted by Capt. Daniel Jones, and after being wounded was obliged to draw his sword in defence, and "happened to make an unhappy pass in his body, whereof he died," which wrought so upon petitioner that he fled the island in a French boat, but now prays to be permitted to have his trial in the island without bringing his said flight into question. His Majesty cannot but have compassion upon him if his case be such as he hath related, and therefore sends his petition, and commands that said John Devereux have a fair trial without mention of his said flight. Countersigned by Sec. Sir John Trevor. 1 *p.* [*Col. Entry Bk., Vol.* 110, *p.* 35.]

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390. Address of the gentlemen chosen for an Assembly for the County of Clarendon in Carolina, with the consent of Sir John Yeamans, Lieutenant-General, to the Lords Proprs. of Carolina. Upon consideration of their Lordships' charters and concessions to the said county, they supplicate for the redress of three grievances, viz., the halfpenny per acre for all lands, the undecimal way of division of these lands, and the injunction on penalty of forfeiture of keeping one man upon every hundred acres. To which are added their reasons also why Sir John, who at first purposed to join with them in this address, had, upon further thoughts, discovered an absurdity in owning under his hand so particular a knowledge of the soil of the country into which he was but newly come, but that in his private letter to their Lordships he would intimate his "full satisfaction" of the grievousness and impracticability of these three injunctions. Therefore upon these grounds they further press further reasons for their Lordships' consideration. *Signed by* John Vassall, R. Sandford, Hump. Davenport, Jno. Nevinson, Richard Whittney, Geo. Cary, Robert Gibbs, John Knight, Sam. Elam (?), Tho. Clifton, Willigrip (?), Henry Brayne, Thomas Gibbes, and John Brent. [*Yeaman's Commission as Governor is dated* 21 *Aug.* 1671, *see previous Vol. of Calendar, No.* 606.] 4 *pp.* [*Shaftesbury Papers, Section IX., Bundle* 48, *No.* 81.]

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391. Mem. by Anthony Lord Ashley. Sir Robt. Heath's patent of Carolina is dated 30 Oct., 5 Car. I. (*see ante, No.* 151). The articles to which it refers of the same date in the Signet Office. If it refers to text, is not extant, makes the patent void. Several references in the patent to the instructions. The consideration, the propagating the gospel, *industria et impensis suis*, the honor and profit of the King. There are both articles and instructions, the first of the date of these presents, the other of a letter to be signed. ¾ *p.* [*Shaftesbury Papers, Section IX., Bundle* 69.]

392. The complaint of Abdell Shaw, merchant, sent over for England by the King of the island of Johanna. In Nov. 1670 the ship Katherine, Capt. South, arrived at Johanna bringing two

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hundred slaves from St. Lawrence. His converse with the King about assisting him in taking the island Mohilla; Captain South to have two hundred slaves on reducing said island. The King's two sons to go with Capt. South to note the powder and shot expended, for which the King was to pay. Capt. South put his 200 slaves on shore, and the King furnished him with 400 men, provisions, and four junks with 100 men each. On arriving at Mohilla a Portuguese vessel at anchor fired at the junks, killed several men, and kept them from landing, upon which the King's son desired to know why Capt. South did not assist in the engagement. The Commander of the Portuguese ship, at a sign from Capt. South, went aboard his ship, presented Capt. South with 100 dollars and a silk quilt; and the next day Capt. South sailed for Johanna. On being asked by the King's son why he did not perform his contract, Capt. South said he would not fight. Arrived at Johanna he sent Abdell Shaw to the King demanding five hundred dollars for his services, and in case of refusal that he would kill the King's sons and carry away the 400 men he had on board for slaves. The King, afraid his sons should be killed, after some parley, paid him that sum in money and provisions, but told Capt. South that what he received was by force. After remaining twenty days he departed without paying for the maintenance of his 200 slaves left on the island for a month and a half and took away six poor inhabitants from their wives and families by force, whom he sold at Jamaica and Barbadoes. Capt. South also pillaged a junk of a seaman and forty slaves. 3 *pp.* [*Col. Papers, Vol.* 33, *No.* 105.]

1671? **393.** Petition of Major Edward Hamilton to the King. His many faithful services and sufferings for the Crown have ruined his estate. Prays for the government of Nevis, which is likely to become void, by the great age, desertment, or other ways of the present Governor, Col. James Russell, a native of Ireland, where petitioner was born and resideth. 1 *p.* [*Col. Papers, Vol.* 33, *No.* 106.]

1672.
Feb. 5. Whitehall. **394.** The King to the Governor of Barbadoes. That John Miller, by petition, informs his Majesty that Thos. Aplethwaite, of Barbadoes, is indebted to petitioner in a considerable sum of money for which he mortgaged his plantation many years past, yet hath taken no care to satisfy said debt, but retains all or most of the lawyers of that island, so that petitioner is unable to prosecute his right. Desires that all our subjects shall have free and equal justice everywhere, recommends said John Miller to him, to cause sufficient counsel and attorneys to be assigned to him, to plead his cause, and that he suffer no unjust obstruction or sinister practises to be used against petitioner by said Aplethwaite. Countersigned by Sec. Sir John Trevor. 1 *p.* [*Col. Entry Bk., Vol.* 110, *p.* 36.]

April 10. Whitehall. **395.** The King to Sir Wm. Berkeley, Governor of Virginia Thomas Ludwell, Secretary of Virginia, having made suit to come

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to England "to follow certain affairs which require his presence here," it is the King's will and pleasure that the Governor give license to said Thos. Ludwell to repair to England with permission to execute his place of Secretary by a substitute, and reserving until his return said place of Secretary, as all salaries and perquisites thereunto belonging. Countersigned by Sec. Sir John Trevor. 1 *p.* [*Col. Entry Bk., Vol.* 110, *pp.* 39, 40.]

July 10. Whitehall. **396.** The King to William Lord Willoughby, Governor of Barbadoes. Sir John Maynard, our Serjeant-at-law, having presented a petition against one William White, copy of which is sent, the Governor is required to have the controversy thoroughly examined, and report the matter of fact to the King, that thereupon a final judgment may be given upon Sir John Maynard's appeal. If said White desires to attend us in Council within three months, and give good security for his appearance in order to the hearing of the whole matter in difference, so his Majesty may determine according to justice, and the intestate's estate be secured, then said White to be allowed such liberty. Countersigned by Henry Coventry. 2 *pp.* [*Col. Entry Bk., Vol.* 110, *pp.* 41, 42.]

Sept. 23. Whitehall. **397.** The King to William Stapleton, Governor of the Leeward Islands. Complaint having been made to us by the King of Denmark that certain orders were given by the late Governor, Sir Chas. Wheeler, prejudicial to that King's right and jurisdiction on the Island of St. Thomas, his Majesty has thought fit to disavow Sir Chas. Wheeler's proceedings, "having given evidence of our dislike of his conduct in that and other things, by recalling him from that government." Commands Gov. Stapleton to forbear and forbid the doing of anything that may give just cause of unkindness between the King of Denmark and his Majesty, but that he exercise all acts of friendships to the inhabitants of St. Thomas, and all that King's subjects in the West Indies. Countersigned by Sec. Henry Coventry. 2 *pp.* [*Col. Entry Bk., Vol.* 110, *pp.* 43, 44.]

Dec. 9. **398.** The King to Capt. John Berry, Governor of New Jersey, and to his Council. Having been informed that some turbulent and disaffected persons inhabiting New Jersey, which his Majesty has granted to John Lord Berkeley, of Stratton, and Sir Geo. Carteret, as absolute Proprietors, to their great prejudice and disturbance and hindrance of the plantation, commands him to strictly charge all persons to yield obedience to the laws and government there established by said Lord Proprietors. Shall expect a ready compliance with this our will and pleasure upon pain of incurring our high displeasure, and being proceeded against with due severity according to law. 1 *p.* [*Col. Entry Bk., Vol.* 110, *p.* 45.]

1674.

July 3. Hampton Court. **399.** Warrant to [the Attorney General] to prepare a Bill for the King's signature to pass the Great Seal, containing a grant to

1674.

James Duke of York, his heirs and assigns for ever, of "all that part of the mainland of New England," the boundaries of which are set forth, being the colony of New York. [*The boundaries and contents of this grant are identical with a previous patent to the Duke of York, dated* 12 *March* 1664, *abstracted in Col. Cal.*, 1661–1668, *p.* 101, *No.* 685.] 2 *pp.* [*Col. Entry Bk., Vol.* 110, *pp.* 56, 57.]

Aug. 12. Hampton Court. **400.** The King to Major Edmund Andros and Anthony Brockhurst. By a commission dated 24 July last the King appointed them to demand and take possession of the colony of New York from the Dutch, by virtue of the 6th Article of our last treaty with the States General; his Majesty, having granted said colony to the Duke of York, commands them as soon as they shall be possessed of the premises to comport themselves in the future government and of the revenues arising therefrom, according to directions and instructions from the Duke of York. 1 *p.* [*Col. Entry Bk., Vol.* 110, *p.* 58.]

Dec. 30. Whitehall. **401.** The King to Sir Jonathan Atkins, Governor of Barbadoes. The Council of Barbadoes having sent advice that there had been lately brought to Barbadoes eleven Indians from the Amazon river on the coast of Guiana by force, and considering the great importance of a fair correspondence between the Caribbee Indians and the English, and that provocation should be avoided, commands him to send said Indians home by the first opportunity, and that in the meantime they be kindly used, and that he takes all proper occasions to gain the goodwill and affection of that people, and to promote a good understanding with them. 1½ *pp.* [*Col. Entry Bk., Vol.* 110, *pp.* 61, 62.]

1674? **402.** Petition of Sir George Pretyman to the King. About 1663 his father, who was Receiver, was 20,000*l.* in arrears for tenths and first fruits, but as his estate was settled in reversion on petitioner, he could not pay it without petitioner's consent, who thereupon consented to the passing of an Act of Parliament for sale of the same, whereof his Majesty's debt was paid, but petitioner was utterly ruined. In the time of Sir George Boothe's rising, petitioner raised a troop of horse at a charge of 2,000*l.*, for which he has not yet asked any recompense, notwithstanding his Majesty's voluntary promise at Breda. And whereas the Island of Jamaica ought to be supplied with an officer called by the name of Treasurer and Recorder of the Patents, prays that said office may be conferred upon him. *Signed* G. Pretyman. [*On* 2 *July* 1674 *Gov. Lynch chose Samuel Bernard for Treasurer.* 1 *p.* [*Col. Papers, Vol.* 33, *No.* 107.]

1674? **403.** Observations upon the several heads proposed by Mr. Secretary Ludwell and other gentlemen sent from Virginia. 1. As to the request to be enabled to buy the quit-rents and escheats there already granted by the King to the Lord Chamberlain St. Albans, Culpeper, Berkeley, [*Grant dated* 8 *May* 1669] to the public

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use of the Colony. 2. Whether it be good for the Crown to parcel the plantations into two small properties. 3. Ought to be granted to such as enjoy lands, they paying quit-rents. 4. Concerns the King's escheator and patentees. 5. As to the chief officers being resident. 6. Absolutely necessary and will secure them from being subject to a double jurisdiction, viz., the laws of an English Parliament where they have no representatives. 7. If in pursuance of what is done in Ireland and Jamaica. On all seven heads the King's authority and power must in no sort be lessened "for the New England disease is very catching;" and whilst they desire to have no other dependence but on the Crown, care must be taken that they do depend on the Crown and that their remoteness and great growth is very considerable. In a word the country is to be encouraged and the power of the Crown kept up. 3½ *sheets.* [*Col. Papers, Vol.* 33, *No.* 108.]

[1674.] **404.** Memorial of Mr. Serjeant Rigby. Recites patent to the Earl of Warwick, Sir Ferdinando Gorges, and others, of 8 Nov. 1620 of New England, and their Grant of 26 June 1630 to Bryan Bincks, John Dy, and others, their associates, their heirs, and assigns for ever, of two islands in the river Sagadahock and certain tracts of land therein mentioned. That in the year 1630 said Bryan Bincks and associates settled themselves in Casco Bay, layed out considerable sums of money in planting there and made laws and constitutions for government of said plantation. That in 1643, John Dy, Thos. Jupe, and others, survivors of Bryan Bincks and others, granted their claim and interest in said lands to Alexander Rigby, of Rigby, co. Lancaster, his heirs and assigns for ever. That in 1644, Robert Earl of Warwick, Governor-in-Chief in America, ratified and confirmed several laws and constitutions for the good government of the people inhabiting the territory aforesaid, then styling the same the province of Ligonia. About that time a difference arising, being said Rigby and John Gorges' son and heir apparent of said Sir Ferdinando concerning the title and boundaries of the Provinces of Maine and Ligonia, same was in 1646 heard and examined by said Earl of Warwick and Committee for Foreign Plantations, and by them adjudged that the right and title of said Province of Ligonia was in the said Rigby and his heirs, and the inhabitants were commanded to submit to the government of said Rigby, which in 1645 they had done by consenting and subscribing their names to said constitutions under which government they continued until 1652 or 1653, all which time the Government of Massachusetts extending their northerly bounds forced most of the people living within the Province of Ligonia to submit to their government. Now, the Massachusetts bounds being questioned before the Privy Council by Mr. Mason and the heir of Sir Ferd. Gorges, it is humbly desired that no order be made to the prejudice of the Rigby's interest before Mr. Serjeant Rigby in whom the interest of the Province of Ligonia now remains, be first heard. *Endorsed by* Williamson, "N. Engl. Mr. Serj. Rigby." *The date is supplied by the Privy Council Register. There is a petition of Gorges, Mason, Rigby, and*

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others, patentees and inhabitants of the Provinces of Maine and Ligonia to "the Parliament of the Commonwealth" complaining of the government of Massachusetts, and praying that the whole business may be examined. Col. Cal., 1574–1660, *pp.* 478, 479. *Also a "State of the differences of the several Provinces of New England," endorsed by Povey,* 2 *December* 1674, *in the previous volumn of this Calendar, p.* 627, *No.* 1397. [*Col. Papers, Vol.* 33, *No.* 109.]

1674-77. **405.** A small MS. Volume, one of Sec. Sir Joseph Williamson's note books. List of the Plantations, Barbadoes, Sir Jon. Atkins; Leeward Islands, St. Christopher's, Nevis, Antigua, Montserrat, Stapleton; New England, 1, Boston; 2, Plymouth; 3, Connecticut; 4, Rhode Island; Jamaica, Somers Islands or Bermudas, Virginia, Maryland, Carolina, New Jersey, New York, Newfoundland, Hudson's Bay. Four Acts about Plantation Trade; Act of Navigation, securing the Customs, regulating the Plantation Trade, securing the Plantation Trade.

1674–75. SURINAM.—The Dutch agreement of making sugar; they offer 200*l.* per annum to our English workmen which we have for 10*l.* 15*s.*; sugar-makers, &c. The French begin to learn that art. The English have 1,200 negroes on Surinam, and may be themselves about 300. Spoke with Sir [Nath.] Brent lately come from thence, 1674–75. Every head of cattle there worth 20*l.* 300 English, 1,100 or 1,200 Negroes. Have 20 sugar works; out of debt, generally because they have had no supplies of shoes, &c., many tons of sugar, &c. 20*l.* per ton to the Dutch, whereas in Barbadoes we have it for 4*l.* 10*s.* They might buy off 10,000 wt. for an overseer, whereas we have them for 10 m. (*sic*). All the artificers are English, carpenters, smiths, &c. The Dutch have not the skill of making sugar, but hire the very raggedest English, &c. Sugar works in Surinam: 17 on the river Surinam, 3 on Cainaweena River. 30 per cwt. by the Dutch which will make it difficult to the English. The Dutch ordered to free the English, in debt to them for blacks, &c., and to that end some ships are now sent to Jam(aica). Proposed to have two large flyboats, one less vessel, one man-of-war. The English have good number of cattle, which the Dutch will endeavour to underrate and forbid to buy and hinder the English from carrying off. [*pp.* 13–15.]

1674. SURINAM.—Heads proposed by the Council in March 1673–74 for the Dutch orders. 1. To suffer our Commissioners on arriving to have free access among the English. 2. The English to sell their estates, pay their debts, and no harm to hinder them. The ships to have two months' time to stay there. N.B.—One Brent has lately come over and given an account of the present state of the place. Browning (?) offers to go Commissioner for nothing; to treat with Odyke about our orders for Surinam, N. England. The Council's Report and Stapleton's demands. Ammunition, pay for the two companies, satisfaction against the French. The Council wants regulating, pay, &c. What about N. England? What about Newfoundland? If Mr. Cranfield won't do some job about N. England

1674–77. in coming back. *Qu.* The Council's Report about New England. [*pp.* 21–23.]

1674–76. West Indies.—Nevis.—23 July, from Stapleton, grievances from the French, slaves, &c., salary for himself, pay for the 2 companies at St. Christopher's, seal for the Islands, his justification against Sir Ch. Wheeler, *i.e.*, religion and the selling S. Ch. plantations; *qu.* the demands of Stapleton for de Baas. Stapleton's last account of the Island, &c., 10 July. De Ruyter arrived at Vichinequa with 40 sail, a vessel taken in the mouth of the *culde-sac*; C. de Horne was in a fair way to make himself master of the fort, &c., but De Ruyter made his signal to repair aboard. Fr. vilanos, dispersing their slaves, sold them after a month's sequestration; *qu.* what articles made with de Baas by Sir Ch. Wheeler. The French pretend to have lost slaves by us; Henseler, 12 negroes; de Pareille, a like number. 16 October, Mr. Gorges, merchant, on behalf of St. Christopher's. 1. Many acres of land in St. Christopher's belonging to the English not yet resettled. 2. Negroes not resettled. 3. Fr[ench] claim the sovereignty of the seas. 4. Negroes to be supplied yearly. 5. The seal lost by Sir Charles Wheeler. 6. Two companies of foot not paid since June 1671. Letters received 13 October 1671. Barbadoes, 16 July, for the Committee [by the Garland]; the peace proclaimed. The Garland sent for here, want of victuals. Repairs. Barbadoes is reckoned to be 100,000 acres; of these 10,000 acres were at first planted by certain merchants of London under the E. Carlisle, under 5 per 100 of the issues. The Governor; the Council put in by the commandment of the King; the Assembly which consists of two men of a parish. These three make laws, which are good till the K[ing] disapproves. N.B.—To find a way to know all vessels coming and going to and from all foreign plantations and returned to the Council. Write frequently to all plantations and press to hear from them. N.B.—Stapleton has not heard from Europe since 1672. The 4½ per cwt. is a duty through all the Plantations on goods exported, &c. Wheeler and Strode farmed it for 7,000*l.* per annum. Barbadoes. Laws are good when assented to by the Governors of themselves, without any approbation of the King till the K. declare the contrary. In all other Plantations, as at Jamaica, only for two years unless the King approves them, &c. Lord F. Willoughby obtained of the Assembly, when first he went to them, the 4½ per cent. on condition that all the planters, &c., should hold thenceforth all their lands in free soccage, &c., *vide* the Act, &c. October 22, 1674. *France, qu.* Edit of 31 May 1670, forbidding all strangers to sail aux environs, &c., to these Islands. [*pp.* 17–21.]

1676. Barbadoes.—6 April 1676. Petition of the Council and Assembly. 1. Complain of the payment of the 4½ per cent., the rules for levying it; have passed an Act for gauging vessels of sugar, praying it to be passed by the K. 2. As to Negro Slaves, the Guinea Company supply them generally and at fixed rates, formerly 16*l.* per head, now 20*l.* and 22*l.*; confess they are offered at 15*l.* per head one with another. 3. Act of Navigation, by which they

1674–77. are forced to bring all sugars to England; the market is overstocked, the freight dear. They offer, 1, to trade only with English ships; 2, and sail with English only, which are the orders of the Act. 3. The returns will pay the K.'s customs at B.B. [*p.* 29. *End of Book.*]

1674–75. Leeward Islands.—San Domingo.—St. Vincent.—Are peopled by Indians entirely animated by the French. St. Christopher's has about 600 English; the 4½ per cent. is in force for Sir Ch. Wheler for 7 years, of which about 4 expired 1675. *Qu.* All that passed in the affair of St. Kitt's is with the French, all the orders, commissions, &c. The Indians of Dominica and St. Vincent were headed by young Warner, who was old Sir Th. Warner('s son) by an Indian woman, &c., who was now lately killed by Col. Stapleton in a small expedition, 1674–75. *Qu.* The articles for the surrender of St. Christopher's. Sir R. Southwell, &c. St. Christopher's. Col. Lockhart's Memorial of 6/16 May 1674 contains these complaints. A narrative of all: 1. That no regard was had to the spoils committed before the Lord Willoughby's Demand of Restitution, &c., 1671, &c. 2. The Commissioners did not continue their sittings. 3. That ameliorations were demanded. 4. Demanded greater sums from the English proprietors than they had received really. Prays that the Most Christian King will give the K. up the sovereignty, and the English old Proprietors be restored upon payment of their price really received, that no advantage be taken of the tenure of a year and a day having lapsed, seeing the revision of several difficulties. [*pp.* 21, 25, 26. *End of Book.*]

1675. New England.—May 1675. *Qu.* If the respective Governors of the Plantations have taken the Oaths about executing the several Acts of Navigation, &c. *Qu.* If the Bonds appointed to be taken from ships in the several Plantations have been returned yearly hither as appointed. As to Gorges' county in N. England, *vide* King's letter 1664, their answer of April 1665, the King's letter to them, 1666. The Massachusetts Patent is said by them to bear date 10 or 11 years before the grant to Ferd. Gorges (*vide* their letter to Sec. Morrice). N.B.—A Quo Warranto was brought 1637 against the Bostoners' Patent, and I expect given for the King. They melt down all English money brought in there into their own coin, making every shilling 15*d.* to avoid the carrying it out. 4,000 seamen saved themselves into N. England in the late Dutch Wars (Capt. Wyborn, captain of the (*blank*) 1673). As to the Acts of Navigation, &c.: 1. N. England is as one of the Plantations under these laws. 2. As to abuses, 25 Car. II., they bring into Europe American goods and not to England directly; they carry thither out of all parts of Europe goods of Europe, which should go only from England. 3. Remedies: Let the Governors in New England take the oath enjoined by law; no vessels to bring in European commodities save which were shipped in England; to take bonds of all vessels that come there to trade here in England and nowhere else, the forfeiting of the Bonds to be duly prosecuted, &c. As to the oath they take. *Qu.* If all Governors of

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the Plantations have taken the oaths, and if same has been taken for the King. As to the Bonds taken Sir J. Shaw has received no such Bonds save only from Maryland, and some few from Virginia, &c. N.B.—That the point of Bonds be looked into, &c. What care has been taken by the Governors, if they are sufficiently directed to do it. *Qu.* Statia and Saba if held by the Dutch, and why they do not demand restitution of them. *Qu.* How the Church stands in the Plantations, what provisions made for them. [*pp.* 59–63.]

NEWFOUNDLAND.—1610, a Grant to E. Northampton, &c., of Newfoundl(and); 1620, Grant of Aviland to L. Baltimore; 1620, Earl Pembroke's Patent, &c., M. Hamilton, &c., against L. Baltimore, &c.; 1660, Grant of Confirmation to L. Baltimore; 1633, Charter granted to Western Traders, &c.; 1660, the Western Charter renewed; 1663, Additions to the former Charter in Council. *Qu.* to settle a Governor? The fleet and convoy go out in March. *Qu.* What Ordinances made by France against Newfoundland, &c., and any other Plantations on Trade, &c. N.B.—K. James' Letters Patent to L. Baltimore of all Aviland, &c., about 1620. K. Charles I. made a Patent to the Kirks of Newfoundland, &c. (Aviland); yet by a Report of Sir Orl. Bridgman and Sir Hen. Finch, 1660, the first Patent was found good to L. Baltimore, and an order of the K.'s to restore Avíland by the Kirks to L. Baltimore. The western towns, 15 Car. II. 14 Dec. 1663, an Order of Council in favour of the Western men for observing the Order and Rules made by the Fishers. This trade has been from the West for 30 years and more. 200 ships usually employed, and 20,000 men. N.B.—Three voyages make a landsman a good seaman; ¼ of the profit is divided among the seamen; the fish carried into the Straits, and brought home in fruits, wine, &c. Bullion: go out in April, come back at Michaelmas; leave their nets, instruments, &c., covered with reeds; 1633, Regulations of this Fishery in Council. N.B.—The first vessel that arrives in Newfoundland is by that made Admiral. 13 Car. I. a Patent to the Lords Proprietors. 12 Caroli. I., 26 Jan., Grant to the Western men. The Western men would have none stay behind them, but all return yearly, &c. Others wished for a Plantation and to be settled; 1,000 able seamen remained in Newfoundland the winter of 1670 or 1671; they remaining make ⅓ of the fetch (?) that is made. Boatkeepers are those persons that remain in Newfoundland in the winter of the Westerns, &c.; these Boatkeepers destroy the houses, boats, provisions, &c., that the Western Newfoundland men leave behind them, pull down their stages, which obliges them to make new every year, destroy the woods by burning. Forced to begin their voyages two mouths earli(er) than formerly to set up stages, &c., which makes them sell the fish dearer. The Boatkeepers provide themselves with provisions from N. England and Ireland, not England; they possess themselves of the best fishing-places, and so prevent the ships, &c. New additions of power prayed for: I. No persons to be carried to Newfoundland but such as mean to settle there save the ship's company. II. The fishing to be maintained by the ships that go, and all of a ship's company to be in one company and engaged to keep so. III. Only

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60 persons for 100 tons of ships. The Dutch build 50 persons to 100; not above 100 tons on any ship. Additional powers advised by the Council of Plantations, 1670: 1. All the K.'s subjects may go and fish there, go on shore, &c., cut wood for stages, &c., provided they observe the Rules established. 2. No stranger to settle or fish. 3. No planter or inhabitant to fell any timber trees, &c., to make no gardens or plant within 6 miles of the coast between Cape Raye and Cape Bonavista. 4. No planter or inhabitant to take up stages, &c., before the fishing vessels arrive from England. 5. That the Rules of 1660 be thus altered: No persons to be carried to Newfoundland but the ship's company. 6. No one ship to carry above 60 persons per 100 tons, and so proportionably. 7. Every 5th man yearly carried out be a green man, *i.e.*, not a seaman. 8. To victual all in England except salt. 9. No ship to go out before 1 March, or to the Cape de Verd Islands before 15 Jan. 10. To give Bond to the Mayors of the ports, &c., of 100*l.* not to carry out save their ship's company, to bring them back again; if no complaint made within 9 months then the Bond to be delivered up. 11. Every stage to have 25 men in a company. 12. N.B.—To remain in Newfoundland after the fishing. 13. The Admirals, Vice-Admiral, and Rear-Admiral, to preserve good order at shore and in the harbours. 14. The companies to support none but their company. 15. The companies to assist the Admirals, &c. 16. The companies to keep out at sea. 17. Companies not to fish. 18. To take account of the places, ports, states of them, &c. 19. To take an account of the stages and fishing-places. 20. Of the number of the inhabitants' ships, boats, implements. 21. Companies not to bring off any fish. 22. To give in copies of their journals. 23. Admirals, &c., in the Bay to secure all offenders and bring them home. 24. On 20 Sept. to publish orders against the stay of any seaman after 28 Oct. 25. Accounts of the state of the fishing, &c., to be given in to the Council of Plantations. 26. The Mayors and Recorders of the respective W. ports to hear all complaints, &c. 27. Reasonable fines to be imposed on the persons offending against Rules, and these fines to be $\frac{1}{3}$ to the K., $\frac{1}{3}$ to the informer, and $\frac{1}{3}$ to the place. 28. The power of the E. Marshall, &c., as to carrying beyond the sea to be removed (? renewed) in relation to Newfoundland. In view of it a Rule to be now settled, &c. 29. The inhabitants of Newfoundland to transport themselves to other Plantations, &c. Order of Council, March 10, 1670–71, confirmed 18 of these advices by the Council of Plantations; ordering the attorney to prepare a Bill, &c., to pass the Great Seal, &c. Mr. Attorney to consider of the clause about the power of E. Marshal. From 1496, the first discovery of Newfoundland, till 1632, the French never fished there. Then, on pretence of carrying on their trade at L'Acadie, they began to usurp the fishing, &c. Kirke sent as Governor to prevent it; about 1662 they begin to plant there. In 1666 the French had 100 sail, and we but 10 or 12; 25 years ago were 200 ships, 150,000*l.*, a stock of fish, &c., took off English commodities 100,000 t. (? tons), brought back of oils, &c., 300,000 tons; about 10,000 men, $\frac{1}{4}$ green men;

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the ships return at Michaelmas, and so the people working all winter; 100 sail of ships employed in fetching salt. Fish cost ¼ cheaper than now; infinite numbers of handicraftsmen employed in England upon it; infinite increase of seamen. Alleged in the Books and Plantation Accounts make fish dearer, as N. England fish is dearer ¼. Against Boatkeepers. Western shipping, breeds no seamen, hinders the conveyance for victualling, &c., and benefits New England, France, and Ireland. Fish is dearer and N. England supplies the market; the boats take up all good places, and prevent the ships; they set on fire woods, destroy stages, debauch the seamen with brandy, &c.; the country not being improvable to sustain the planters, they must fetch victuals elsewhere. Against a Governor. I. It would make it no English fishery, *i.e.*, carry it quite out of England into N. England. N.B.—For the fishery is now almost grown as prejudicial as that of England at Newfoundland. All trade is either to benefit the nation by increase of people. New England and Ireland will feed and clothe them. Objection: How can it be preserved without a Governor and force against the French? Answer: These would not preserve it, though the King should go to the expense of it as 3 or 4 forts. The coast is so made. It must be a force at sea, by frigates. The fishery lies 200 miles long. At St. John's indeed might be a fort but also that covers nothing but the fishery of that very part, and a frigate and five ships destroy all the fishery, &c. N.B.—The country is mean, unprofitable, and so places of fishing must be destroyed by any French coming into the country. But is only to be done by force at sea, *i.e.*, all passage from place to place is by water. N.B.—The fish are found uncertainly, some years in one place, sometimes in quite another; for it cannot be known where the fishing will be, so no fort can be certainly where to be fixed. The inhabitants spoil the stages, the fishing places. N.B.—A Governor could not redress at all the abuses, &c., of destroying stages, burning woods, &c. Besides, he dwells at St. John's at a great distance, and cannot at all come by land, and, in winter, which is the proper time to do it, cannot for storms come by water. For plantation upon Newfoundland, &c., and for a Governor. It costs so much our sending ships and keeping them rigged some months more than is necessary; we can't go to market with the French; the French take twice as much as we of fish; for say they, let it be planted, they want the fish and we only fetch them off and carry our commodities, &c. N.B.—That Mr. Gould, being the principal abettor of this doctrine, is avowedly for the turning of this trade in such a way as may benefit N. England; and whereas the arguments on the other side are all bound for the profit that would arise to New England, which he plainly tells us he will not agree to, for he says he is all with us, and if Old England gained, &c. This is at the bottom the sense of his doctrine, &c. Objection: France oversells us. Answer: France now is come to furnish itself with fish, which we did formerly. This fish they can sell cheaper than we, because, &c., &c.

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In all foreign markets can sell even with them. Objection: The English fishing is not so good now as heretofore. Answer: Because we formerly had all the N. England fishery, while now N. England is come to take it (into) their own hands, &c., &c. N.B.—If this answer not the great question, how our English fishery at Newfoundland is damaged. N.B.—A ship of 100 tons carries 10 boats, a boat 5 men. Objection: France sells cheaper. Answer: No; for this very year at St. Malo they sell for 6*l.* (?) the quintal, and now at London we sell for 12*s.*, which is not so dear. N.B.—Some sorts of fish are for some places and go off better, others at others, and that causes the going of ours or their fish, &c.; but generally speaking, ours go off equal to theirs; we can sell as cheap and do sell as dear, &c. France has made a proclamation encouraging planters, *i.e.*, giving so many livres for every woman, so many for every man. Common ills agreed on by each party, of which remedies must be found. Stages pulled down and so much cost to raise them, which makes ours come later to the market, &c.; woods destroyed by which there wants wood to rebuild the stages; harbour spoiled by ballast thrown, &c., 1615. Capt. Whitbourne had a Commission to inquire into abuses in Newfoundland. 1633. Rules for trading set down, &c., in the Star Chamber, in the Council. Against a Governor and Plantation by the Western Ports, &c. (Against?) a Plantation. 1. They take up the best places not being able to dwell at 6 miles from the shore, as is required there. 2. They destroy stages, rob, &c. 3. Destroy woods. 4. They want necessaries, and go over debauched upon brandy, &c. 5. The Governor for his profit licenses tippling-houses, &c., which debauches the men, &c. 6. They take up all good places of fishing, &c. 7. They breed no seamen as this was doing, &c.; their seamen leave their families here to burthen the parish; and get away all the good seamen and fishermen from the ships that go from hence, by which they pay dear and have not so good men. 8. A Governor must cost the trade to maintain him, which would burthen the fishery trade. 9. The increase of seamen follows this present way, and the fishing trade could manage, as it happens to the French. N.B.—In summer scarce any disturbance happened to our fishing except by De Ruyter once, &c.; in winter the country and coast is so cold and frozen, nothing is to be found, so in no case is a Governor of Forts necessary. N.B.—Our fishing is but ⅓ of what it was before Sir David Kirke was settled Governor. The Merchants and Owners.—I. The advantages of the trade: 1. Great growth of navigation, &c. 2. Great quantities of victuals from home, materials for shipping. 3. Great numbers of seamen made. 4. Considerable numbers of families maintained by it. 5. Increase of customs. II. As to the method of it: Go out in April, returns in winter, and bring home all their men for the King's service, &c., as by Order of 1633 of Council. III. In process of time some irregular people stayed in the country in winter by the negligence of those that ought to have prevented it, as carrying of private persons and foremost boatkeepers upon the

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ships from home, as in the late years ⅓ of the fish caught was caught by the people remaining there, and in the late wars the seamen absconded thither; there are now 1,000 seamen possibly; at last it will come to this, that we shall only send to buy their fish, send ships to carry it to market, and it will be no more ours than that of New England is. The inconveniences to the trade from it. 1. The inhabitants debauch at any rate the best seamen and fishers from the ships to remain with them, which makes seamen dearer to the shipping and leaves the parishes burthened with their families. 2. They destroy their boats, &c. 3. They destroy their stages, which puts them to new charges, &c., 100*l.* per ship; forced to part 2 months early (from) home to build their stages. 4. They serve to debauch their masters, overseers, &c., which oppresses their seamen and causes wranglings, outrages, &c. 5. Corrupt with wine, rum, &c., their common seamen and fishermen. 6. Our ships in England lie by the wall, but ⅓ of what were formerly employed. 7. They possess themselves of the best fishing places before the ships from England arrive. N.B.—As to inhabitants, there are (say Dartmouth) so many planters as that every planter having 2 boats, every boat 5 men, there are found to be 900 men in all, *i.e.*, there are 90 planters. For a Governor, [Weymouth]. 1. Destruction of near 150$^{m.}$ young trees by the stages being broke down, &c., and too big to be repaired; the Admirals themselves do it. 2. 50$^{m.}$ trees destroyed by being barked, for covering of stages, which at best will ruin the trade by the decay of wood and make them go so much earlier in the year. 3, 4. Throwing overboard their stones at the end of the year, which spoils the harbour. 5. They destroy young cod to bait withal. N.B.—The French are but 12 miles from the English. Dinage, *i.e.*, small birchen rods cut down to lay between the fish and the sides of the ship to keep them from bruising. 1700 planters now, 1675, take 70$^{m.}$ quintals of fish, *i.e.*, ⅓ of the whole quantity taken. Disadvantages of this trade. 1. They had great losses about 1657 and 1660; 1,200 ships taken by the Spanish, many of which of the Newfoundland. 2. They go upon Bottomry at 26 per 100. 3. The French have great encouragements, go not upon Bottomry, all victuals cheaper in France, &c. Till 1659 France was supplied with all fish save boat fish by us, now they supply themselves all, and all aboard, sell at as good or rather better rates than we do. For a Governor and a plantation; but of the mending(?), that is the question, not as now by reason of the infinite Bottomry which makes us not be able to trade with them long to the same market. If that could be done this way, this were the best very much. The advantages in this new way. 1. This would make a less stock to carry on the fishery and the fish come cheaper, less time to catch them, no longer to entertain men and ships there, just to fetch off what they have caught, and carry it to a market. 2. This would make the fish better cured; it would not otherwise go off, at least not in a plentiful year. N.B.—It happens that some months are better fish and more than in another; for none knows when it will be a good or a bad year, till the time be quite over, and being in different Bays they know not where it is good, where bad, &c., so

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as the market is kept open. Boat-masters, all those that govern the boats; one man (for) each two. Trounsers are the goers on least expense. New England fishery is at Piscataqua, where we send to buy their fish. 60 ships at least come from New England and Barbadoes, &c., yearly. N.B.—A boat and company in the way, the fishery now as managed costs by an ordinary computation 55*l.* or 60*l.*, whereas after the way of planters the same number of men fishing, &c., costs constantly 75*l.* Ten boats going from home from Dartmouth cost to fit out with all necessaries in all over 114*l.* 7*s.* 11*d.*, besides wood to build them carried from hence, saltmen's wages, men's victuals. Every boat going from England the Plantations way costs 43*l.* or 45*l.* certainly. N.B.—The W. country men carry out victuals at best rates from home, whereas the planters going from hence, that is, boatkeepers going hence, trust to the victuals they find there, and by that means are at the mercy of the New Englanders. 100 tons have 10 boats. N.B.—Every person that passes to Newfoundland pays the passage, 3*l.* going and 3*l.* coming, and 20*s.* per ton the victuals. These private boatkeepers build upon in going from hence that they can buy their provisions upon the place from New England, and so for hooks and nets, baits, &c. A boatkeeper sells Mr. Gould at 24 reals per quintal, the Dartmouth men ask 26 reals, &c. As to the price of fish. N.B.—That no comparison can be made upon the price at which fish either way was taken; in regard it happens by accident that some sell dearer one part of the year, the others at another season, as fish comes more plentiful. Generally speaking, in the present way of fishing $\frac{2}{3}$ are for the boats, wages, victuals, &c., and the $\frac{1}{3}$ is for the setting of the ship out, which is more than in the case of the planters. If fishing could by that way (be) managed, 45,000 quintals of fish taken at Piscataqua yearly, 60,000 quintals by 4 or 5,000 inhabitants. French: a vessel of 200 tons in St. Malo costs 25,000*l.* fitting out, the charges only their wages treble to England, though their victuals may be cheaper. N.B.—The New England men carrying their fish to Madeira bring thence brandy, which, paying no custom, they carry it directly to Newfoundland and there sell it cheaper than we could do, and so debauch our mariners, &c., and from New England they bring rum which expressly conquers our men, and some of our seamen being found 4*l.* in debt for brandy in a season, &c., which obliges the man to stay there a year round and so to free his debt.

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May 3. Objections against taking away the Planters. 1. Will not the French come and take possession of the coast, and being once settled there advantageously sure it will be hard to dispossess them; the planters are now 1,200 good men, &c. 2. Will you have these 1,200 men starve, where shall they go? You would have them tied without 6 miles from the shore, and yet you say that country cannot be inhabitable, not passable. 3. One thing is to regulate an abuse, another to undo so many families of our countrymen, &c., 150 families, 1,700 persons, some now living there that were born there, and one above 60 years of age. 1. The planters have a right to the houses they have built, and the western men have no

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authority to disturb them; why may not the planters fish as well as the western men? They have liberty given them by the King. Resp: They may fish, but must not remain and inhabit there, otherwise than under the rules of 1633, *i.e.*, not nearer than 6 miles, &c. 2. As to inconvenience, the planters are not of prejudice to the western fishery; by Sir J. Berry's report, &c., the planters preserve the stages, succour the ships coming in, offer to give security to the W. men to preserve their stages; they are employed by the W. men to keep their salt fish, &c. Resp: That is necessary against the violences of the inhabitants, but if there were no planters there could be no danger, no need of keeping them off the plantations, not one has his house above ¼ mile from the shore; L. Baltimore's is within a coit-cast of the water. There are 48 bays or places of fishing in the English part, from Cape de Rays to Cape Bonavista, which is 70 leagues. St. John is the best bay, a good colony of 400 or 500 people. For the planters obj. to tenure. If the planters were removed, would not the French seize themselves of the English part. Resp: 1. Many English fishing places are now without any inhabitants, and yet are never looked after by the French. 2. Never have the French and English attempted to get into possession of one another's parts. 3. N.B.—Even the French do not keep their part by a plantation, but satisfy themselves to go from home yearly to fish, and are not planted. 4. If the question be of right, the French could no more, according to the law of nations, pretend to seize upon the English part if utterly void of plant, as *jure primi occupantis*, than if we were inhabited upon it all the year. If the question be of force and in fact, even though they should continue the planters, French would be easily able to overpower them; the planters are in no considerable force. Conclusions. If it be thought necessary to continue the planters in order to keep up the possession in law, or to be in a condition to resist by force, then let them continue, but let them conform themselves to the rules of 1633, 1660, &c., *i.e.*, above 6 miles from the water *pp.* 24–57, 69–73. *In the handwriting of Sec. Williamson, which is difficult to decipher.* [*Col. Entry Bk., No.* 98.]

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Jan. 2. **406.** List of papers relating to Surinam, 1574–1674, received from Mr. Locke and delivered to Mr. Bridgeman by Mr. Sec. Williamson's order, viz.:—

8 Aug. 1674. Two passes in Dutch from the States General for Mr. Gorges and Mr. Cranfield to go to Surinam.

15 Nov. Pass in blank for a person and ship to be sent to Surinam by the King.

Two letters in Dutch from the States to the Governor of Surinam, sealed.

8 Aug. Extract of the resolution of the States General concerning Surinam.

8 Aug. Translate of the States pass for Messrs. Gorges and Cranfield.

8 Aug. Translate of the Extract out of the States Register.

21 Dec. Translate of the Extract of the States Resolution concerning Surinam.

Draft of a Commission for Mr. Gorges.

Draft of Instructions for the Commissioners.

Nov. 15. Translate of the Extract of the Resolution of the States concerning Surinam.

Nov. 15. Translate of the States letter to the Governor.

Translate of the pass for the Advice yacht.

Signed by John Locke. 1½ *pp.* [*Col. Papers, Vol.* 34, *No.* 1.]

Jan. 8. **407.** Caveat for no pardon to pass to James Colleton for killing Elisha Bridges at Barbadoes till notice be first given to Auditor Bridges at his office in the Inner Temple. *See No.* 421. [*Dom. Entry Bk., Chas. II., Vol.* 45, *p.* 5.]

Jan. $\frac{8}{18}$. The Hague. **408.** Extract from the Register of the Resolutions of the States General touching the departure of the English from Surinam. The Pensionary Counsellor and other Deputies for Foreign Affairs, having reported that they have been in conference with Sir Wm. Temple, Ambassador Extraordinary of Great Britain, and had examined with the Prince of Orange a reglement and instruction for the Governor of Surinam, in reference to the 5th Art. of the Treaty of Westminster of the $\frac{9}{19}$ Feb. 1674, which reglement has been approved with the advice of his said Highness, Ordered, That the same be sent to said Governor with orders to execute it in the fullest manner, and to afford every facility for carrying this affair to a happy termination, and to receive the Commissioners, Ferdinand Gorges, Edward Cranfield, and Edward Dickenson, with all possible civility, and render them every assistance. And also that copies of said reglement and this resolution be sent to the States of Zealand, or their Deputies, requiring them to give orders

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that the same be punctually observed by the said Governor. Further that there be put into the hands of said Ambassador 3 original copies of Resolutions and letters to be sent to said Governor, and that 3 passports be expedited for the merchant ships America, Roger Paxton, Master, and Hercules, Simon Orton, Master, and for the Hunter, man-of-war, Richard Dickenson, Captain, which his Majesty has appointed to convoy said merchant ships to Surinam. Reglements and instructions from the States General to the Governor of Surinam, for the execution of the 5th Art. of the Treaty relating to Surinam, in 14 Articles. The first 12 are identical with those submitted by the Council for Plantations (*see preceding Vol., No.* 1367), excepting articles 6 and 10, which are omitted, and a few additions to articles 2, 3, and 12, as noted in Sir Wm. Temple's letter of $\frac{1}{2}\frac{1}{1}$ Dec. 1674 (*see preceding Vol., No.* 1403). Article 13 provides that the Governor shall be obliged to name Commissioners to adjust differences with those of his Majesty, and particularly where his Majesty's subjects, who are indebted to those of the States, have good debts, lands, beasts, &c., they shall use their best endeavours to prevail upon creditors to accept same in payment at the current price; and in case they cannot agree that prompt justice be administered by the ordinary judges. Article 14 provides that in case his Majesty send a ship of war to convoy the transports the same shall be permitted to accompany them into the river of Surinam, and there remain till their departure. *French,* 10 *pp.* [*Col. Entry Bk., No. LXXVIII.*, 32–42.]

Jan. $\frac{8}{18}$. Hague. **409.** The States General to the Governor of Surinam, enclosing the above-named reglements and instructions, and enjoining him to carry them out in the best possible way. *French,* 2 *pp.* [*Col. Entry Bk., No. LXXVIII.*, 43–44.]

Jan. $\frac{8}{18}$. **410.** Passport from the States General for the Hunter man-of-war, Captain, Richard Dickenson, which his Majesty of Great Britain is sending to convoy the ships America and Hercules to Surinam in pursuance of the 5th Art. of the Treaty of $\frac{9}{19}$ Feb. 1674; to suffer the same to pass to Surinam, and return thence, without any molestation, but on the contrary to afford all assistance when required. 2 *pp.* [*Col. Entry Bk., No. LXXVIII.*, 50–51.]

Jan. 12–14. **411.** Minutes of the Assembly of Barbadoes. Most of the day spent in debate of the Bill for Settlement of the Militia and the amendments made by the Committee.

Jan. 13. Voted that the Bill for the Settlement of the Militia pass. That for payment of the 200,000 lbs. of sugar presented to his Excellency and for discharging other the country's debts, 700,000 lbs. of sugar be levied on land and negroes, land paying 3 lbs. per acre, and negroes 10 lbs. per head, and that there be levied on St. Michael's Town 85,000 lbs., Speight's Town 10,000 lbs., the Hole Town 3,000 lbs., and Ostin's Town 2,000 lbs.; two members nominated to draw a Bill accordingly. A new Bill for Imposition on Liquors, drawn by the Clerk, as the former Act is near expired. That said Bill be in

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force for 12 months; that Lt.-Col. Wm. Bate be Treasurer, and Majors John Hallett and Edw. Yeamons, Capt. John Johnson, and Francis Bond or Edward Hussey, Comptrollers; and that the Bill pass.

Jan. 14. Ordered, that the Bill for an Imposition on Wines and Liquors imported pass; that the Treasurer provide, out of the Excise on Liquors imported, one ton of refined sugar to be presented with the concurrence of his Excellency and Council to Capt. Chas. Atkins of H.M.S. Phœnix; that persons excused from Parish Levies be also excused from paying for their land to this levy; that the Bill for the Levy on Land and Negroes pass; and that the Treasurer, with the concurrence of his Excellency and Council, pay to his Excellency 200,000 lbs. out of the first sugars received from said levy. Committee appointed to consider the papers recommended by his Excellency from the Council of Plantations, respecting defects in their laws, the Jews' petition, the complaint of the Farmers of the 4½ per cent., and his Excellency's speech, and prepare answers thereto against the next sitting of the Assembly; and to consider such addresses as may be fit for the House to make to his Majesty. [*Col. Entry Bk., No. XIII.*, 135–139.]

Jan. 13. **412.** Petition of Ferdinando Gorges to the King and Council. Sets forth his right to the Province of Maine, where he has expended 20,000*l.*, and his being dispossessed of the same by the power of the Massachusetts, and prays to be restored to his just rights, and for relief in the premises. *Signed and endorsed*, "Rec. 13 Jan^ry. 1674–75. Read at the Com^tee for Plantations, 22 April 1675." [*Col. Papers, Vol.* 34, *No.* 2.]

Jan. 13. **413.** Petition of Robert Mason to the King and Council. Sets forth the several grants made to his grandfather John Mason, of the Province of New Hampshire, and his own right to the same, notwithstanding the Massachusetts usurp an authority and disturb the government and propriety belonging to petitioner. Prays his Majesty to reinforce his commands for his just protection, and to restore him to the possession of his inheritance. *Signed and endorsed*, "Rec. 13 Jan. 1674–5. Read at the Com^tee for Plantations, 22 April 1675." [*Col. Papers, Vol.* 34, *No.* 3.]

Jan. 13. **414.** Mem.—That these Despatches, viz., the Instructions for Capt. John Baker, the Original Letter from the States to the Governor of Surinam, and their Pass (*see ante No.* 406), were given to Mr. Pepys, Jan. 13, 1674–75. As also a copy of the following paper:—Capt. John Thorne, Mr. Andrew Knight, Mr. Elias Elly, Mr. Hierome Westhorpe, these being the names of the principal Planters of Surinam, it is convenient the Captain of Advice ship repair to them for their assistance. ½ *p.* [*Col. Entry Bk., No. XCIII. fo.* 127.]

Jan. 13–14. **415.** Minutes of the Council of Barbadoes. Letter produced by his Excellency from the Council of Trade and Plantations in relation

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to the defects of the Laws of the Island, to the end same be rectified; ordered after debate that said papers lie under consideration until it be seasonable to send them to the Assembly. The Assembly attended, to whom his Excellency said he would consider the Militia Bill next Session, and gave them his Majesty's letter about the 4½ per cent., and the manner of collecting it, and a paper from the Council of Plantations about defects in Laws.

Jan. 14. Bill presented by the Assembly for a Levy on land and negroes, also an order for 200,000 lbs. of sugar lately given to his Excellency, and a present of a ton of refined sugar to Chas. Atkins. Request of the Assembly that care be taken that the arrears on coppers and stills be gathered in. Four amendments proposed to the Act for the Levy on land and negroes. Ordered, that the Bill this day brought by the Assembly for the Excise, the Bill formerly sent by the President and Council to the Assembly and not passed by them, and copy of the Act of Excise in the Act Book, fol. 242, be sent to Sir Peter Colleton to be considered. [*Col. Entry Bk., No. XI.*, 284–286.]

Jan. $\frac{18}{28}$. **416.** Extract from the Register of the Resolutions of the States General. Consenting to the demand of the Ambassador of Great Britain that they would write to the Governor of Surinam that his Majesty had appointed Marc Brent as a Commissioner in place of Ferdinand Gorges; and ordering that copy of this Resolution be sent to the States of Zealand, requiring them to give order that the same be punctually executed by the Governor of Surinam; and further that 3 original copies of Resolutions and Letters be put into the hands of the said Ambassador to be sent to the said Governor by the safest and most convenient route. *French.* 2½ *pp.* [*Col. Entry Bk., No. LXXVIII.*, 45–47.]

Jan. $\frac{18}{28}$. **417.** The States General to the Governor of Surinam, enclosing the above Resolution. *French.* 1½ *pp.* [*Col. Entry Bk., No. LXXVIII.*, 48–49.]

Jan. 20–21. **418.** Minutes of the Council of Barbadoes. Conference desired by the Assembly and agreed to. Resolved, on consideration of some amendments in the Bill of Excise proposed by the Assembly, that the clause, that in case of the Treasurer's death or removal the Governor appoint another, be left out; also, the two clauses about the Council and Assembly drawing on the Treasurer for their expenses, it being mutually agreed that they should bear their own charges in their Public Meetings; but that the clause for settling the Comptroller be adhered to, and that Major John Hallett be Comptroller.

Jan. 21. The Assembly attended with two papers, the continuance of the Excise on Liquors, and a vote appointing a Committee to consider the getting a convenient house for his Excellency; also Bill for continuing the Committee of Accounts, and three others for payment of gunners and matrosses. Ordered that three of the Council be joined with the Committee named by the Assembly to answer

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several papers by his Majesty relating to the 4½ per cent., and other papers. 2 *pp.* [*Col. Entry Bk., No. XI.*, 286–288.]

Jan. 20–22. **419.** Minutes of the Assembly of Barbadoes. Ordered, that whereas divers persons, having made entry of wines, have long kept them, with design to sell them at unreasonable prices, till they have turned "eagar" and unsaleable, and then petitioned for abatement of excise thereon, that in future no abatement of excise be made on any wines, unless demanded within 3 months of entry. On debate of the defects in the laws set forth by the Council of Plantations, voted that in future the 80 days appointed in the Act for Judicial Proceedings be taken off. To the 3rd clause in their paper, the Assembly assert that sufficient provision has been made by the Act of the 4½ per cent. Voted that anything attached and appraised for payment of any debt below the value of the effects attached shall be divided, and part delivered to the creditor for payment of his debt. The Bill for laying an imposition on wines and liquors returned by his Excellency and Council with some alterations; the House, being unsatisfied, desired a conference with the Governor and Council, on returning from which they adjourned.

Jan. 21. On debate of that part of his Excellency's speech relating to the multiplicity of Courts, voted that they continue as they are. Also, on request of Richard Forde, Surveyor, that an Act be passed to prohibit the copying, reprinting, or selling draughts of this Island from the copy made by said Forde, without his licence, for 7 years, under a penalty of 2,000 lbs. of sugar. That his Excellency be requested to appoint some of the Council to join with their Committee to prepare answers to the defects of the laws sent by the Council of Plantations, and other papers recommended to the Assembly. Resolutions, on debate of the alterations made by his Excellency and Council in the Bill of Excise, to pass the Bill for 3 months only, and that it be presented with the reasons set forth, and as it stood in Lord Willoughby's time; and in regard they are resolved to manifest their respect and service to his Excellency in as full manner as they have to any other Governor, they promise themselves that his Excellency and Council will not insist on such alterations as will lessen the privileges former Governors have allowed them. Voted that the Bill of Excise, with his Excellency and Council's alterations, do not pass.

Jan. 22. The Bill for continuance of the imposition on wines and other liquors till 23 April next, read and passed. That a law be provided according to the prayer of the petition of some of the Hebrew nation; also that William Sharpe and 2 others be a Committee to treat for a habitation for his Excellency. Bill for reviving the authority of Commissioners for settling the Public Accounts, read and passed. Ordered by his Excellency, Council, and Assembly, that the Treasurer pay out of the Excise on liquors imported, to Edward Preston, Gunner of James Fort, 8,240 lbs. of sugar for his salary from 19th May 1673 to 12 Jan. 1674–75; and to the Gunner of the Fort of Spights and his mate from the last May 1673, and

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to the three Gunners of the Forts at Ostin's Bay from the 25th June 1673 to this day, after the rate of 2,000 lbs. of sugar per annum each. Adjourned to Tuesday 6 weeks; altered at his Excellency's request to Tuesday 3 weeks. 6½ *pp.* [*Col. Entry Bk., No. XIII.*, 140–146.]

Jan. 21. Whitehall. **420.** Sec. Sir Joseph Williamson to Sir Jonathan Atkins, Governor of Barbadoes. Has his of the 9th Nov., with news of his safe arrival at Barbadoes, where he wishes him all happiness, and will be extremely glad if he can contribute to it. Would be glad to knit such a correspondence with those parts as to know regularly all that passes, especially what relates to trade and the general interests of the Island; and if the occurrents of this part of the world be of any satisfaction to him, they shall be punctually sent. ½ *p.* [*Col. Entry Bk., No. XCIII., fo.* 128.]

Jan. 22. Whitehall. **421.** The King to Sir Jonathan Atkins, Governor of Barbadoes. Having understood that one Elisha Bridges, of Bridgestown, in that Island, has been lately killed by James Colleton and others, whereby their estates will, in case they be found guilty, become forfeited to his Majesty, he is to take care that the said estates be preserved safe and entire, to be disposed of as his Majesty shall hereafter direct. ½ *p.* [*Col. Entry Bk., No. XCIII., fo.* 128.]

Jan. 22. Feb. 1. **422.** Extract of a letter from the Deputies of Zealand at the States General to the States of Zealand. The Ambassador Extraordinary of Great Britain has earnestly desired that the letters and despatches, which ought to be sent to Surinam in virtue of the Resolution of the States General of 8–18 Jan. (*see ante, No.* 408), should be addressed to M. Van Benninghen, Ambassador Extraordinary at the Court of Great Britain, to be delivered to those his Majesty sends to Surinam, so that they may go at the same time with the Resolutions. *French.* 1½ *pp.* [*Col. Entry Bk., LXXVIII.*, 52, 53.]

Jan. 28. Whitehall. **423.** The King's pass to Edward Cranfield, one of the four gentlemen ushers daily attending his Majesty's person, whom his Majesty has commissioned with others to go into the West Indies. Recommends him to all Governors and officers, that they receive him with all civility and favour, suffer him to travel where he shall think fit, and see him accommodated with conveniency for it, without debarring him entrance into any of his Majesty's towns, castles, &c., at due hours, and take order for his transportation into any other of his Majesty's plantations, or into England, as he himself shall judge fitting. And all his Majesty's subjects are required to give him their best assistance. 1½ *pp.* [*Col. Papers, Vol.* 34, *No.* 4.]

Jan. 28. **424.** Minutes of Council of Antigua. Ordered, that all that have claims upon the country bring them in to the Treasurer, so that the debts and credits of the country be known; that an Act be drawn for the better regulating of the Militia; that persons going off the Island set up their names in both Falmouth and St. John's;

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and that storehouses be discharged and suspended to all intents and purposes. That an Act pass for each man's proportion of arms and ammunition, and for encouragement to bring in arms and ammunition. (*See* under date 23 Augt. 1670.) ½ *p.* [*Col. Papers, Vol. XXV., No.* 55*.]

Jan. 30. Whitehall. **425.** Sec. Sir Joseph Williamson to Sir Jonathan Atkins, Governor of Barbadoes. This comes to let him know what is at the bottom of his Majesty's desire (*see ante, No.* 421), that all care be taken of the forfeitures arising on occasion of the killing of one Bridges. His Majesty has granted those forfeitures to Lord Sunderland, who has commanded this to engage his kindness in the matter. Begs he will let his Lordship see he was not mistaken when he took him in his friendship. Hopes his people take care to send regularly all the occurrents of these parts, in return of which must beg what passes there constantly and a little at large. 1 *p.* [*Col Entry Bk., No. XCIII., fo.* 128.]

Jan.–May. Antigua. **426.** Two Acts passed in the Island of Antigua, viz. :—An Act for the better regulating and governing of the militia of this Island, dated 28th Jan. 167⅘. 2½ *pp.* An Act for encouragement of the Royal African Company in England for the supplying this Island with negroes, dated 3rd May 1675. 2 *pp. Together,* 4½ *pp.* [*Col. Entry Bk., No. L.,* 295–299.]

Feb. 2. Jamaica. **427.** Considerations about the Spaniards buying negroes of the English Royal Company, and receiving ⅔ at Jamaica and ⅓ at Barbadoes. It is near 20 per cent. cheaper for the Assientistas to give 110 pieces of 8 per head at Jamaica than at Curaçao. From Jamaica negroes may be easily transported to Sta. Martha, and so to all the ports leeward as far as La Vera Cruz, and from Barbadoes to all the windward parts of the Continent. The Spaniards need not fear aggrandizing Jamaica by any such contract, for the planters there believe it would be to their prejudice; but were it so, such a consideration comes too late, the Island being already well fortified and peopled, and so planted that it will load 100 ships yearly, so it is their interest to live well by a bad neighbour they cannot remove. The English cannot give such apprehensions of spoiling the trade as the Dutch have, for they have no slight or counterfeit goods, or silks or linens which can be transported so cheap *viâ* Jamaica or Cadiz, and it is certain such goods for 3 or 4 years have been cheaper amongst the Spaniards than at Jamaica. Nor is it to the interest of England the vent of their manufacture by Spain should be interrupted; but to prevent such importations of goods the negroes might be transported in English ships and delivered before officers that should see them immediately dispatched. It is for the interest of England and Jamaica that the Spaniards be preserved in possession of the countries they have in the West Indies, and that the Franch grow not too strong on Hispaniola; the reasons are obvious. Such a contract settled at Jamaica would occasion a factory being there, and be a means of more frequent advice from Europe. The ships hired for trans-

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portation of the negroes would awe, reduce, and punish all pirates, and make them leave the Indies or that trade, which the Spaniards cannot do, but at vast charge. Such a contract would make the subjects of both Crowns have good correspondence, and make the world see it is not for the advantage of the English to have any other colony but Jamaica. It would also be fit the Assientistas paid something more per head to his Catholic Majesty, which would considerably advance the revenue. *Endorsed,* "Rec^{d} on the 6 Dec. 1675." 3½ *pp.* [*Col. Papers, Vol.* 34, *No.* 5.]

Feb. 8. Nevis. **428.** Governor Stapleton to the Council for Plantations. Need not recite the often repeated grievances of these Islands bleeding for redress, but beseeches them to consider them in this conjuncture of peace. The Indians of Dominica have again committed murders and rapines upon Antigua a little before Christmas last, whereupon we empowered the Deputy Governor, Col. Philip Warner, with 6 small companies of foot, to go to Dominica to be revenged on those heathens for their bloody and perfidious villanies, who killed 80, took some prisoners, destroyed their provisions, and carried away most of their periagoes and canoes, as their warlike vessels are called; his pretended brother, Indian Warner (reputed natural son to Sir Thomas), fell amongst his fellow heathens, who, though he had an English commission, was a great villain, and took a French commission, which makes him suspect that these Indians have been put on by those who made use of them in the late war. Beseeches their Lordships to move his Majesty that they may have some frigates as their neighbours have constantly relieved, and if he does not destroy those heathens who have so often treacherously spilled English blood, or at least render them incapable of assisting their neighbours in time of war, let him be severely punished. Must confess this design may be better effected by the Government of Barbadoes, which is nearer and to windward, and no better service could be performed for these inhabitants, who are forced to watch continually for a heathen enemy, than their absolute destruction,—a thing easily to be effected,—or at least to reduce them to live on the main land. *Endorsd,* "Rec^{d} by M^{r} Scutt, merch^{t} 2 April '75. Read at the Committee, 17 June 1675." 1½ *pp.* [*Col. Papers, Vol.* 34, *No.* 6.]

Feb. 9. Whitehall. **429.** Minutes of the Committee of Trade and Plantations. Report of Sec. Williamson that his Majesty, having lately dissolved the Commission for the Council of Trade and Plantations, ordered that all things depending there should be brought to a Committee of the Council Board as formerly, and he had now brought the papers relating to the calling away of his Majesty's subjects from Surinam, and a Commission and Instructions forthwith to be prepared for the Commissioners going there. Draft of a Commission to Edward Cranfield, Edward Dickenson, and Mark Brent read, and several amendments ordered; also a Draft of Instructions, and several alterations made, the Dutch orders to be examined, and these Instructions to be made suitable to what the States General give in charge to their Governor of Surinam. Mr. Pepys to bring

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in an account of provisions made ready for the negroes, and a method for their distribution, and about the course of the voyage. 1 *p.* [*Col. Entry Bk., No. CIV.*, 1.]

(Feb. 9.) **430.** "The present Instructions (for the Commissioners for Surinam) compared with those given to Bannister," being notes by Sec. Williamson of differences in the 2nd, 3rd, 4th, 5th, 6th, 7th, and 9th clauses. *Endorsed*, "Feb. 9," &c. 1 *p.* [*Col. Papers, Vol.* 34, *No.* 7.]

Feb. 10. **431.** Petition of Rowland Simson, late Planter in Surinam, newly arrived in England, to the King. That petitioner, with others of his Majesty's subjects, at the time of Maj. Bannister's going for Jamaica, was forced to abide in Surinam, the Dutch Governor having privately given orders that none should buy the plantations of any English that went off; that he made ready for the first opportunity to transport himself, but was disappointed by the intervening of the late Dutch war; that having now sold his plantations, petitioner freighted the Golden Lyon of Surdam (there being no passage but by way of Holland), and laded her with 309 hhds. of sugar worth 3,500*l.*, all his estate in the world; that said ship was taken by a French frigate off Scilly, 5th Dec. last, and carried into Milford Haven, whereupon petitioner obtained a warrant out of the High Court of Admiralty for her arrest, which was executed by the Chief Marshal of the Port 26th Jan., and she continued under arrest till 31st, when the captain of the French frigate turned said officer out of the ship arrested by force, and sailed away with the prize (as is feared) into some port of France. Prays for his Majesty's Royal letters to the Most Christian King for restoring petitioner's goods, or for satisfaction any way as his Majesty shall think fit. "Read Feb. 10th, '74-5. Nothing done." 1 *p.* [*Col. Papers, Vol.* 34, *No.* 8.]

Feb.? **432.** Memorandum by (Sec. Williamson) to look over letters received from Sir Wm. Temple, and see what he says upon the point of Zealand being to give orders or not about the business of Surinam. ½ *p.* [*Col. Papers, Vol.* 34, *No.* 9.]

Feb. 11. **433.** Order of the Committee for Trade and Plantations. Finding mention made in the orders of the States General of the 18th Jan. last concerning the bringing off of His Majesty's subjects, with their goods and estates, from Surinam, of an instruction to be given to the States of Zealand to cause their said intentions to be punctually observed by the Governor of Surinam; and finding that these orders from Zealand are not yet come, ordered, that Mr. Sec. Williamson be desired to write forthwith to Sir W. Temple, his Majesty's Ambassador Extraordinary at the Hague, to obtain the same, and send over with all speed the originals with authentic copies, in like manner as already obtained from the States General, as the Committee think not fit to advise that the Commissioners depart without, lest their whole business should be overthrown. *Draft with corrections.* 2 *pp.* [*Col. Papers, Vol.* 34, *No.* 10.]

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Feb. 11–12. Whitehall. **434.** Minutes of the Committee of Trade and Plantations. Feb. 11. Sec. Williamson acquainted the Board that the points in which the late Council of Plantations, in their report to the King of 27th Oct. last, thought it necessary for the States General to give positive orders to their Governor of Surinam, had been negotiated by Sir William Temple, and satisfaction obtained in most; that the States had sent the orders for their Governor, three of each sort sealed up (one for each of our ships), and the translate open and authenticated; and that his Majesty had, in the Committee of Foreign Affairs, acquiesced in the points where the Instructions did not agree with what was demanded. Said Instructions perused, and the States' supplemental order mentioning Mr. Brent as one of the Commissioners instead of Ferdinando Gorges, who had withdrawn. Ordered, that the present Instructions also conform to what was given in Instruction to Capt. Baker, who went in the Advice boat; that mention be made of the Prince of Orange's letter granted in this behalf, but not open; that great care be taken to obtain from Zealand a concurrence with the orders of the States, of which these orders seem to intimate the necessity, and that the Governor of Surinam is commissionated by them; and that Edward Cranfield be first named in the Commission, then Capt. Edw. Dickenson of the King's frigate, and Mark Brent last.

Feb. 12. Proposal of Mr. Cranfield to call at the Madeiras to take in wine and provisions, and then at the Cape de Verd Islands for salt, that if the Planters of Surinam might not have a good price for their cattle from the Dutch they might bring them away slaughtered. Ordered, that Sir R. Southwell write to Mr. Pepys to consult the Lords of the Admiralty of what consequence in expense and loss of time that digression might be, the Lords having advice that some Dutch negro ships were designed to Surinam, whose arrival might engage the English Planters in purchasing and consequently in a stay there, which by all means was to be prevented, there being hopes of that Colony's ruin by the coming of the English away. Several points of the Instructions altered and amended. Letters to be written to the several Governors of Plantations for the kind reception of these Planters. 2 *pp.* [*Col. Entry Book, No. CIV.*, 2–3.]

Monday. **435.** Saml. Pepys to Sir Robt. Southwell, Secretary to the Committee of Council for Plantations. Will take care to dispose of the product he speaks of to the proper hands, if he shall command him; and will do the like as to directing the masters how to dispose of themselves after the Surinam work be over. Will soon find him out to adjust this more particularly. ½ *p.* [*Col. Papers, Vol.* 34, *No.* 11.]

13 Feb. St. James's. **436.** Sir John Werden to Gov. Andros. Has not yet received any letters from him since his arrival, news of which is come by the Exchange news, and particularly by Mr. Delavall, whose correspondents in the parts adjacent have found ways to inform him of most that hath happened about the time of Andros' arrival there. Is under some impatience to hear what sort of com-

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putation may be made of his future felicities in his plan which is represented there under many different characters; most especially would fain to know how far the public revenues are likely to support the public charges, the effects of his late moderating the customs; what likelihood there is of drawing more English to inhabit there to compensate the discouragements they give the Dutch, and whether the having obtained licences for a few ships to go and come directly 'twixt Holland and England was heretofore the great secret to raise the customs, and is still of that indispensable necessity (as Mr. Delavall positively asserts) as without it the garrison cannot subsist. The customs are now rated, in Mr. Delavall's opinion (who really is a very knowing man), not being likely to amount to near so much as shall defray the charge of government. P.S.—Nothing has as yet been done towards adjusting Sir George Carteret's pretensions in New Jersey; presumes he will take care to keep all things in the same posture as regards the Duke's prerogatives and profits as they were in his predecessor's time till he shall hear of some alteration agreed to there. *Printed in New York Documents, III.*, 228–229. [*Col. Entry Bk., Vol.* 70, *p.* 17.]

Feb. 17. Derby House. **437.** Saml. Pepys to Sir Robt. Southwell. Having endeavoured, but without success, to wait on him, this is to tell him that he has some days since delivered to Mr. Sec. Williamson a memorial of all he has to trouble him with touching the provisions to be issued to the King's subjects in their transportation from Surinam, to which paper he will please to be referred. ½ *p.* [*Col. Papers, Vol.* 34, *No.* 12.]

Feb. 16–18. **438.** Minutes of the Assembly of Barbadoes. Debate on the papers recommended by his Excellency, viz., the letter from the Council of Plantations touching the defects of the Laws, and his Majesty's letter about the Farmers of the 4½ per cent.

Feb. 17. His Excellency's Commission, sent for the inspection of the Assembly, read and ordered to be entered in the Assembly Book of Orders, as follows:—Here follows the Commission, dated at Westminster, 24th Feby. 1673–74 (*see preceding Vol., No.* 1185). An Act appointing how the testimony of persons of the Hebrew nation shall be admitted in all Courts, read three times and passed. Ordered by his Excellency, Council, and Assembly, that the Commissioners for settling the Public Accounts order payment of 13,200 lbs. of sugar to the gunner, mate, and matrosses of Charles Fort, for salary for 5 months from the 25th Sept. last, out of the arrears of former levies. An Act for taking off the 80 days after execution, for future contracts, passed without the last proviso.

Feb. 18. An Act to confirm the Lease made by John Stanfast to his Excellency, passed. Answer drawn up to the letter from the Council of Plantations touching defects in the Laws, considered and referred to William Sharpe to perfect against the next sitting of the Assembly. The address of the Council and Assembly to his Excellency concerning the insupportable injuries done to the Island and other his Majesty's plantations by the Royal African Company,

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read and communicated to the Council to amend if they see cause. Adjourned to this day 5 weeks. 10½ *pp.* [*Col. Entry Bk., No. XIII.*, 146–156.]

Feb. 17. **439.** Sir Jonathan Atkins, Governor of Barbadoes, to (the Secretary to the Council for Plantations). Has received two of his to his great satisfaction. His promised patronage is a great obligation, and in this place he dares say they will not be ungrateful, for he finds them very obedient to the King, and to himself so conformable that they refuse nothing he asks. Of the Indians, brought before his arrival from the Main by Capt. Wroth, some are dead, but the rest shall be returned according to his Majesty's commands, a thing designed by him before that they may keep amity with those savages, the contrary having always been very pernicious, especially to the smaller Leeward Islands. Doubts they have for ever lost those people, whose friendship was so necessary in time of war, to the great damage of the French. But by the intemperate actings of one Warner, Lieutenant-Governor of Antigua, by an action of the greatest inhumanity, who, from what provocation he cannot yet tell, transported 7 companies to Dominica, a dependent of this Government, without taking any notice of or complaint to Atkins, Warner's brother, whom he assassinated, having a commission from Barbadoes as Lieutenant-Governor for the King, and being the only person in these parts that asserted the English interest and suffered imprisonment and irons during the war for his service to the King, and coming ashore, his half-brother, for they had both one father, joined him with the Leeward Indians to take account of the Windward Indians for injuries done on Antigua; but after the action he invites him and his party to a treat, and having made them drunk with rum, caused them all to be massacred, not sparing his brother or little children. Encloses the examination of the master of the sloop, who was in the whole action, wherein he will find a very tragical but he fears a very true story, the man being a serious and intelligent man of his quality. Had required a reason from his superior of the affront done to himself in his Government, but the King's honour and interest being so much concerned, thought it more fit to present the matter to his Majesty. *Encloses,*

439. I. Deposition of Wm. Hamlyn, commander of the sloop Betty, of Antigua, aged 23, before his Excellency and Council. In December last deponent was pressed by Col. Philip Warner, Deputy Governor of Antigua, to go with letters to Col. Stapleton at Nevis, and on his return was again pressed to carry 34 men in his sloop to Dominica, in company with two ships carrying in the whole 300 men, who arrived there on Xmas Day. Said vessels were met by Thomas Warner, Deputy Governor for his Majesty, who understanding Col. Warner's design was the 300 men should fall upon the Windward Indians for some injuries supposed to be done by them to him on Antigua, agreed to assist him with 30 Indians, and ordered 30 more to attend them to carry orders. Four Windward

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Indians were slain, and believes 30 at least were killed, besides three that were drawn by a flag of truce to come on board and there killed. After the dispute was over, Col. Warner invited Thomas Warner and his Indians, to the number of 60 or 70 men, women, and children, to an entertainment of thanks, and having made them very drunk with rum, gave a signal, and some of the English fell upon and destroyed them. Afterwards an Indian calling himself Thomas Warner's son came on board Col. Warner's ship, and told him he had killed his father and all his friends, and prayed him to cause him also to be killed, holding his head of one side to receive a blow, which by Col. Philip's order was given him, and he was thrown overboard. Deponent took an Indian boy in his arms to preserve him, but the child was wounded in his arms and afterwards killed; believes this slaughter was by the sole direction of Col. Warner, against the consent of his officers, several of whom he heard declare against it. In pursuit of the Windward Indians, two or three English were killed in fight. Said Thos. Warner being advertized that Col. Warner designed to kill him, replied he was better assured of his kindness and fidelity, being his half brother. Deponent heard Col. Warner order Cornet Saml. Winthorpe to kill Thos. Warner, who refused to do so. Col. Warner and his men being in great distress for provisions, were provided by Thos. Warner and his Indians with what they could. *Together*, 5½ *pp* [*Col. Papers, Vol.* 34, *Nos.* 13, 13 I.]

Feb. 17. **440.** Copies of preceding letter and deposition. [*Col. Entry Bk., No. XLVI.*, 64–69.]

Feb. 22. Whitehall. **441.** Warrant to the Duke of Monmouth, the Earls of Oxford, Mulgrave, and Craven, Lord Duras, Col. John Russell, Sir Philip Howard, and Sir Charles Littleton. Whereas Col. Francis Lovelace, late Commander of the Fort of New York in America, being committed to the Tower for not having defended the same, has besought that Commissioners might be appointed to examine him in order to clearing himself. His Majesty's pleasure is that they or any five or more of them, taking the Judge Advocate to attend them, examine the said Col. Lovelace concerning the rendering of the said Fort and Colony to the Dutch in the late war, and report to his Majesty what he has to say upon the whole matter. 1 *p.* [*Dom. Entry Bk., Chas. II., Vol.* 28, *p.* 125.]

Feb. 22. Whitehall. **442.** Order to the Lieutenant of the Tower to send Col. Lovelace at such time and to such place as shall be testified under the hands of the Duke of Monmouth, and the rest of the Lords and others appointed to examine him. [*Dom. Entry Bk., Chas. II., Vol.* 28, *p.* 125*d.*]

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Feb. 23. Whitehall.

443. Minutes of the Committee of Trade and Plantations. An Order of Council of the 12th instant on petition of Mr. Hinton proposing a Governor and regulation of the fishery at Newfoundland, read; also said petition, and several papers annexed containing reasons for settling a Governor, and the objections against one answered. Ordered, that all the papers be found out which were formerly urged (*sic*) in this matter contrary to what was settled in Council by order of 10th March 1670–71; that the Lord Treasurer be desired to be present at the next meeting on Thursday morning; and that meantime all proceedings in the Council relating to this matter, what passed in the late Council of Plantations, and the old regulations of 1633, be got together for their Lordships perusal, they appearing inclined to the reasons alleged for the necessity of a Governor. 1 *p.* [*Col. Entry Book, No. CIV.*, 3, 4.]

Feb. 25. Whitehall.

444. The King to the Governor and Company of the City of London for the Plantation of the Somers Islands, *alias* Bermudas. Whereas his Majesty is informed by their petition that King James, having granted said islands then uninhabited to them, with power to make byelaws for their management, and that they have planted them and maintain them at a yearly charge of many hundred pounds, which they have no other means to defray but by the duty of one penny per lb. on all tobaccos of the growth of the islands, and that by the charter and laws of the Company no member thereof ought to send or bring into or from the said islands any goods but in the Company's magazine ships yearly sent for the supply of the inhabitants and the bringing home the tobacco; and whereas one Perient Trott, a member of the Company, to avoid payment of said duties, and in contempt of the laws of the Company, has sent several ships to said islands, and clandestinely brought over great quantities of tobaccos, and the better to carry on his designs has obtained his Majesty's Letters granting him liberty to bring any goods from said islands in any ships whatsoever, by which the rest of the trading part of the Company would be discouraged, the duties be unpaid, and they utterly disabled to support the Company or preserve the islands, his Majesty in consideration that said Letters were obtained by misinformation and surprize, by these presents revokes and recalls them, and in particular those of 17th August last, leaving said Perient Trott to be governed by the laws of the Company. Mem.—That another letter of same date was directed to the Governor and Council in the Somers Islands *alias* Bermudas, in the same form. 2 *pp.* [*Dom. Entry Bk., Chas. II., Vol.* 42, *pp.* 9–11.]

Feb. 25. Whitehall.

445. Minutes of the Committee of Trade and Plantations. The entries of what passed and was settled in the books of the late Council of Plantations touching the Fishery of Newfoundland, read. Order of Council thereon to be examined touching the truth of the recital, and whether any provision was made in lieu of the

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Earl Marshal's power for punishing crimes, as there directed. Two petitions from the gentry, magistrates, merchants, and ship owners in the west of England, read. Mr. Sec. Williamson to be attended for a copy of the confirmation granted touching the regulation of the fishery of Newfoundland. The Commissioners of the Customs to be written to for some account of the product of the Newfoundland trade, as far as they can trace it in their books. Sir R. Southwell to write to Mr. Bertie, that some of the last captains who sent convoys to Newfoundland be found out and spoken with, or that those that have been secretaries to the Lord High Admiral be spoken to for some of their journals. Resolved by their Lordships to consider of a method of having journals from all merchant ships going long voyages; they proposed a continuation of Purchas' History with relation to his Majesty's Plantations, but seemed to mention some instruction given already in this matter by the Lords of the Admiralty, and for finding out a fit person for this undertaking. Ordered, that a minute of letters be sent down to the magistrates of Southampton, Poole, Weymouth, Melcombe Regis, Lyme, Exeter, Dartmouth, Plymouth, East Low, Foy, Falmouth, Bideford, Barnstaple, and Bristol, to signify his Majesty's command for the review of all things concerning the fishery and touching a governor in Newfoundland, and that they immediately appoint agents, and give full information of all they think advisable in that affair. Ordered, that a summons be sent to the merchants of the Exchange acquainted with the Newfoundland trade to attend on Saturday. 1½ *pp.* [*Col. Entry Book, No. CIV.*, 4, 5.]

Feb. 25. **446.** Mem. concerning the provisions to be sent to Surinam. Whereas provisions, to be accounted for by the respective masters, are put on board the ships Henry and Sarah, Jo. Baker, master; America, Roger Paxton, master; and Hercules, Simon Orton, master, for victualling his Majesty's subjects to be transported from Surinam to some other Colonies; and said masters are directed before sailing from Surinam to prepare exact lists of the names of the persons sent on board, with the day of the month each comes on board, said lists to be attested by his Majesty's Commissioners going thither, with their certificate of the number of persons, and on their arrival at the plantations, before landing any of them, to apply to the Governor of the place to appoint some person to make lists, to be attested by said Governor, of the persons on board, and who shall be landed, with certificate of the day each was landed; and lastly, to give account to the Governor of any victuals remaining, and in his presence dispose of same at public sale by inch of candle. Moved, That as well the Commissioners as the Governors, &c., of said places, receive directions to take such accounts, give such orders and certificates, and do all other things conformable to the preceding directions to the masters. "The 25th of Feb. 1674(–5). Received from Mr. Sec. Williamson, and to him sent by Mr. Pepys. Read at the Committee the 27th ditto, and to be inserted before the last Article of the Surinam Instructions." 2 *pp.* [*Col. Papers, Vol.* 34, *No.* 14.]

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Feb. 27. Whitehall.

447. Minutes of the Committee of Trade and Plantations. The Instructions for Surinam again read, and some amendments made, and a private Instruction ordered for persuading the planters rather to pass into some other of his Majesty's plantations than return home. The touching of the Commissioners at the Cape Verd Islands forbidden, on the report of the Lords of the Admiralty, of its great inconvenience. Ordered that the Commission and Instructions be given to the Commissioners for perusal, that they may represent anything they find to object to. Messrs. Gould, Perrot, Scut, and several other merchants attended, who after reading the papers before their Lordships were desired to discourse their thoughts touching the business of Newfoundland. Mr. Perrot was against any encouragement for a colony there, as a thing that would destroy the navigation, nor did the country afford any comfort to the inhabitants, according to a proverb in the west, "If it were not for wood, water, and fish, Newfoundland were not worth a rush." He affirmed that the French only inhabit one side of the island for the beaver trade, and have a small fort for defence against the Indians; none of our ports were fit to be defended, except St. John's and one other, but they were sufficiently defended by ice in the winter, and in summer by our own strength at sea; the usual rule for manning our ships is 50 men to 100 tons; the capital vended in commodities may be 150,000*l.* a year; there may be 150 ships, that each boat with five men may catch 200 quintals in a boat, and all the boats belonging to said ships may catch 300,000 quintals, which may produce 300,000*l.*, of which the mariners may have one-third of the clear profit; and nothing so much discouraged the Adventurers as the inhabitants there, who destroyed the woods and all that is left behind, got early into the best places for fishing, and debauched the seamen by wine and brandy, which they all sell. Mr. Gould was for encouraging a colony, as the only way to catch fish cheap, and undersell the French, otherwise the trade must be ruined; and one said the French had 600 ships fishing on the bank. Messrs. Gould and Perrot desired to consider of the whole matter and put their thoughts into writing. The Lords of the Admiralty to be desired to give Instructions to the next convoy to make several necessary inquiries into the state of that island. Information to be sent for to St. Malo and other parts of France of the number of ships and their tonnage that go yearly to Newfoundland, of the regulations by which that trade is carried on, what encouragement is given to it, what their capital is, and what advantage they make yearly by it. 2 *pp.* [*Col. Entry Bk., No. CIV.*, 6, 7.]

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448. Sam. Pepys to Sir Robert Southwell, Secretary to the Committee of Council for Plantations. The Navy Officers all agree in opposing the proposition of the Surinam ships of stopping at Cape-de-Verd Islands for salt, as it would expose his Majesty to ten times greater charge by loss of time and expenses, than what the cost of so much salt to be carried hence (if that be thought advisable) will amount to; which he may please to communicate to their Lordships in answer to their commands. 1 *p.* [*Col. Papers, Vol.* 34, *No.* 15.]

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Feb. 27. **449.** Notes in Williamson's handwriting of the evidence of Messrs. Gould and Perrot before the Committee for Trade and Plantations concerning the business of Newfoundland. 4 *pp. See also Williamson's note book on this subject, ante No.* 405. [*Col. Papers, Vol.* 34, *No.* 16.]

Feb. **450.** Four Acts and two Petitions made at a General Assembly held at St. Maries (Maryland), the 12th day of February, in the 43rd year of the dominion of Cœcilius, &c., A.D. 1674(–75), the titles of which are as follows :—

(1.) An Act empowering the Governor and Council to levy the charge for making war or peace with the Indians.

(2.) For reviving of certain laws within this Province.

Petition of John Long, of the city of London, merchant.

Petition of Jacob Duhattoway, Anthony Briscoe, and Peter Achillis, all resident and inhabiting within this Province.

(3.) An Act concerning what shall be allowed to the Grand Juries that are summoned twice a year out of the body of the Province to attend Provincial Courts ; and

(4.) For payment and assessing the public charges of this Province.

Mem.—These laws passed under the great seal of this Province, Feb. 26, 1674(–75). Philip Calvert, Canc̃. [*Col. Entry Bk., Vol. LIII., pp.* 285–295.]

Feb.-April. **451.** Three Acts, Laws of Barbadoes, passed in 1675, viz.: (1) An Act appointing how the testimony of the Hebrew nation shall be admitted in all Courts and causes, Feb. 17 ; (2) for taking off the 80 days after execution, for future contracts, Mar. 25 ; and (3) for regulating the gauge of sugar cask, April 15. *Printed.* 2½ *pp.* [*Col. Entry Bk., No. XV.*, 94–96.]

March 1. Whitehall. **452.** Sir Robt. Southwell, Secretary to the Committee for Trade and Plantations, to Secretary Sir Joseph Williamson. The Lords of the Committee desire some information from St. Malo, touching the number of ships set forth this year for Newfoundland, their tonnage and number of men, the profit of that adventure estimated at per cent., and the public and private Rules and Regulations of the Fishery ; and, if possible, to know what is done in other ports of France, that an estimate may be made of the whole numbers of men and ships, the capital stock, and the product thereof yearly to the public and to the King's Revenue ; and next to know what garrisons are maintained on that island, and particularly whether it be true that the plantation there is encouraged for the beaver trade, and defence against the Indians, and does not at all meddle with the fishing, but leaves that wholly to the ships and hands that yearly come there. 1 *p.* (*Col. Papers, Vol.* 34, *No.* 17.]

March 1–2. Falmouth, Antigua. **453.** Two Acts passed by Col. Philip Warner, Governor, and the Council and Assembly of Antigua, viz.: An Act for reforming Abuses in Storehouses, March 1. An Act for augmenting the Yearly Allowance for Col. Philip Warner, the present Governor

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of the Island, March 2, 1674–75. *Endorsed,* "Rec^{d} by the post under cover from Col. Warner, then on board the Phenix, 18 April 1676." *Together,* 6½ *pp.* [*Col. Papers, Vol.* 34, *No.* 18.]

March 2–12. Middleburgh. **454.** The States of Zealand to their Deputies at the Hague. In compliance with theirs of the 7th inst., send enclosed (as has been already done to the Heer Ambr. Van Benninghen) copy of their letter of the 16th Feb. to Capt. Peter Vorsterre, Governor of Surinam, by several vessels, that they may make use thereof for the Public service. *Enclosed,*

454. I. Same to Capt. Peter Vorsterre, Commander of Surinam. Send herewith all the Resolutions made by the States General, with concert of the Ambassador of the King of Great Britain, concerning the bringing off from Surinam of the English who are willing, with order precisely to govern himself thereby. 1675, Feb. 6–16. *Together,* 2 *pp.* [*Col. Entry Bk., No. LXXVIII., pp.* 54–55.]

March ? **455.** Mem. that the Prince of Orange's letter to the Governor of Surinam was sealed up and so could not be here entered. [*Col. Entry Bk., No. LXXVIII., p.* 56.]

March 3. Weymouth and Melcombe Regis. **456.** Tobias Burr, Mayor of Weymouth and Melcombe Regis, to the Committee of Council for Trade and Plantations. Has received their order of 25th Feb., and summoned the magistrates, with the owners and masters of ships trading at the Newfoundland, and taken an account of all the ports and places of that Plantation, with the number of planters; and also an account of the fittest harbours to be fortified, which is now sent; and has appointed a correspondent to attend their Lordships in this affair. *Endorsed,* "Letter from the Vice-Admiral." *Enclosed,*

456. I. An account of the harbours on the North Coast of Newfoundland and of the planters resident there, all His Majesty's subjects, viz.:—In Trinity Bay, 10 harbours, of which Trinity is fit for a fort, and 17 planters with their families; in Conception Bay, 13 harbours, of which Harbor de Grace is fit for a fort, and 29 planters and families; and in the Middle and South Coasts, 16 harbours, of which St. John and Ferre Land [Ferryland] are fit for forts, and 44 planters and families. Every planter keeps two boats with 5 men to each; in the whole 900 men. *Endorsed,* "3 March 7$\frac{4}{5}$." *Together,* 2 *pp.* [*Col. Papers, Vol.* 34, *Nos.* 19, 19 I.]

March 7. Whitehall. **457.** The King's instructions to Edward Cranfield, his Majesty Commissioner for Surinam. As soon as he has dispatched the business at Surinam, to embark for such other plantations as he shall judge convenient, observing the following general rules: (1) Not to pretend any power of taking any account from any Governor, but as a journey to satisfy his own curiosity, and on some design of adventuring where he shall see the greatest likelihood of the

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plantations prospering; (2) under which pretence he may easily inform himself of the value of plantations and of the taxes, trades, oppressions, hazards, and profits, legal or illegal under the several Governments, and particularly as dexterously as he can satisfy himself in the following particulars. Then follow 22 inquiries, being those usually sent by the Council of Plantations to Governors of same, and in particular as to New England, to inquire, What differences are depending between the Massachusets and the rest of the Colonies about boundaries? What differences in religion as to doctrine and discipline? How the generality of New Englanders stand affected to appeals to His Majesty? Whether liberty of conscience, trade and votes to elections be allowed equally to all the people? And, whether the Common Prayer be allowed or used by any? He shall see St. Christopher's before his return, and strive to inform himself of the true state of the difference betwixt his Majesty's subjects and the French. 3½ *pp.* [*Col. Papers, Vol.* 34, *No.* 20.]

March 7. St. Jago de la Vega.

458. Minutes of the Council of Jamaica. Present, Sir Thos. Lynch, Governor, Sir Henry Morgan, Col. Chas. Whitfield, Col. Thos. Ballard, Lt.-Col. Robt. Byndlosse, Maj. Anthony Collier, Sam. Long, and John White. On reading the revocation of Sir Thomas Modyford's Commission, it was the opinion that Sir Henry Morgan, being constituted Lieut.-Governor under his Majesty's Sign Manual, was, by a clause in said revocation under the Great Seal, sufficiently invested with authority to assume the Government; whereupon Sir Thos. Lynch made a demission of the Government to him, and it was ordered, that a proclamation immediately issue to continue all persons in their employments, military and civil, till further order. On notice given by Sir Henry Morgan of the shipwreck of Capt. Knapman on the Isle de Vaca, it was the opinion that sloops and boats be speedily sent to save so much of his Majesty's stores as can possibly be preserved. [*Col. Entry Bk., No. XXXV.*, 386–388.]

March 11. Port Royal.

459. Minutes of the Council of Jamaica. Present, Sir Henry Morgan, Lieut.-Governor, Sir Thos. Lynch, Col. Chas. Whitfield, Lieut.-Col. Robt. Byndlosse, Maj. Anthony Collier, Sam. Long and John White. Resolved that the Great Seal of the Island be placed in Sir Henry Morgan's hands as being the present Commander-in-Chief. [*Col. Entry Bk., No. XXXV.*, 388.]

March 12. Whitehall.

460. Order of the King in Council. His Majesty, having dissolved his late Council of Trade and Foreign Plantations, has thought fit to commit what was under their management to the Committee of the Privy Council appointed for matters relating to trade and plantations, whose names follow; that five be a quorum, and meet at least once a week and report their proceedings to the King from time to time. Sir Robert Southwell constantly to attend said Committee. [*Col. Entry Bk., No. XCVI., pp.* 1–2.]

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March 12. Whitehall. **461.** Order of the King in Council. Appointing certain of the Privy Council a Committee for matters relating to Trade and Foreign Plantations, five of them to be a quorum, to meet at least once a week and report to the King in Council their proceedings from time to time, with power to send for all books, papers, and writings, with a list of the Lords so appointed concerning said plantations. 2½ *pp.* [*Col. Entry Bk., Vol. CIV., p.* 1.]

March 12. Whitehall. **462.** Copy of the preceding with this mem: "In pursuance whereof their Lordships, on 11 August 1675, signed a circular letter to the Governors of his Majesty's plantations. [*Col. Entry Bk., Vol. XCVII., p.* 7; *also Vol. XCVI., p.* 1.]

March 12. Whitehall. **463.** List of the Lords of the Privy Council appointed a Committee for Trade and Foreign Plantations. [*Col. Entry Bk., Vol. CIV.*]

March 12. Whitehall. **464.** Order of the Committee of Trade and Plantations. That all books and papers which were lately in possession of the Council of Plantations be enquired after and taken into the Council Office and a list made. Also that enquiry be made for globes, maps, sea charts, and journals. That Mr. Slingesby, Dr. Worseley, and Mr. Locke attend their Lordships to give account herein. [*Col. Entry Bk., Vol. CIV., p.* 9.]

March 12. Plymouth. **465.** William Weekes, Mayor of Plymouth, to the Committee of Council for Trade and Plantations. Has communicated their orders of the 25th February to the Corporation and all others concerned in the Newfoundland trade, who have unanimously concurred in, and sent up their opinions to be presented to their Honors, and have appointed two correspondents to attend them. The like remonstrance and reasons were presented to the Lords of the Council in 1670, since which there is nothing new to offer. 1 *p.* [*Col. Papers, Vol.* 34, *No.* 21.]

March 13. Falmouth. **466.** Wm. Arundel, Mayor of Falmouth, to Sec. Sir Joseph Williamson. Has, in order to the commands of the Privy Council, consulted with the inhabitants of this Corporation, concerning the state of Newfoundland, the number and force of the planters, and the situation of the ports and harbours, a short narrative whereof is enclosed. *Endorsed,* "R. 19, 167$\frac{4}{5}$." *Enclosed,*

466. I. A description of the harbours of Newfoundland, with their inhabitants from Cape Bonavista to Cape de Race, being as much as is at present inhabited by the English. Bonavista, with 15 or 16 inhabitants, road very foul; Trinity, with 10 or 12 inhabitants, a very safe harbour; Bay of Veares, with 3 or 4 families, a small dangerous cone; Carboneare, with 5 or 6 families, an indifferent good harbour; Harbour Grace, with 14 or 15 families, a harbour of great safety, but dangerous without a pilot; Port Grave, a small harbour with 3 or 4 families;

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Harbour Maine, in Conception Bay, with 2 or 3 families; Belle Isle, an island without inhabitants; Tor Bay, a small fishing cove with 5 or 6 families; St. John's, with 50 or 60 families, the best port in the whole land, and of very great security if fortified with a castle; many ships load there, and more would if it were fortified, for then merchants would have encouragement to leave their estates there, who now adventure no more than needs must; Pettye Harbour, a small port with 3 families; Bay of Bulls, with 10 families, a large bay where the convoys make up their fleets in time of war; Capelyn Bay, with about 6 families; Cape Broyle, a good harbour with no inhabitants; Trepastye, 10 leagues west of Cape de Race, with 5 families, a bold harbour and farthest to the west in possession of the English. *Together*, 2½ *pp.* [*Col. Papers, Vol.* 34, *Nos.* 22, 22 I.]

March 15. Port Royal. **467.** Minutes of the Council of Jamaica. Present, John Lord Vaughan, Captain General, &c., Sir Henry Morgan, Col. John Coape, Col, Chas Whitfield, Lieut.-Col. Robt. Byndlosse, Lieut.-Col. Thos. Fuller, Maj. Anthony Collier, and John White. His Excellency's Instrument of government under the Great Seal read, wherein his Majesty's Council were likewise appointed. The Oaths of Allegiance and Supremacy administered to him by five of the Council according to his Majestys' command, also the oath as Captain General and Governor-in-Chief of this Island. The Oaths of Allegiance and Supremacy administered to the Council, also an Oath to be just and faithful Councillors, disclosing none of his Excellency or his Majesty's secrets, and revealing whatever they shall find prejudicial to his Excellency or tending to the disturbance of the Island or Government; an Oath as Lieutenant-Governor; Sir Henry Morgan likewise took an oath. Ordered, that all officers, military and civil, continue in the execution of their several offices till further notice. [*Col. Entry Bk., No. XXXV.*, 389–391.]

March 17. Weymouth. **468.** Nath. Osborne to Sec. Sir Joseph Williamson. Yesterday came in a small vessel from Newhaven, Wm. Serrell master, who says that on Monday last there were 2 men-of-war there to convoy their Newfoundland ships, who were to call at St. Malo for the fishing ships and to have 8 men-of-war more from Brest to attend the fishermen going from several places of France, who will be very numerous this year. *Endorsed*, "Weymouth, 17 March, R. 19, 167$\frac{4}{5}$." ½ *p.* [*Col. Papers, Vol.* 34, *No.* 23.]

March 17. Nevis. **469.** Governor Stapleton to the Council for Plantations. Beseeches them in behalf of the officers and soldiers of his Majesty, two standing companies in St. Christopher's, to move his Majesty to pay their arrears and establish some fund for their future subsistence. They live in a most miserable condition amongst the poor inhabitants who are not able to give them any subsistence, and it is a disparagement rather than anhonour to the nation to have soldiers naked and starving in the eyes of the French, who have officers and soldiers in good equipage and very well paid. Prays they may be paid,

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continued and recruited, for should there be a breach, their neighbours are four to one on St. Christopher's. The Lieutenant who presents this, goes on purpose to know his Majesty's pleasure herein. *Endorsed,* "Read at the Commtte, 17 June '75." 1 *p.* [*Col. Papers, Vol.* 34, *No.* 24.]

March 17. Weymouth. **470.** Reasons tendered by Geo. Pley for a settled government in Newfoundland, for the prevention of several abuses and for security and encouragement of trade. The yearly destruction of 250,000 young trees and 50,000 bigger trees, the burning of the woods and throwing overboard press-stones into the harbours (*see* "Capt. Robinson's Paper" *in preceding volume, No.* 369). After the "caplew-scull" used for bait is gone, the fishermen shoot their lance seines for bait, and take an infinite number of young cod, which are of no use, enough to load all the ships in the land. The French have harbours in the north at the Bays of Foggs and St. John's, and round all the land to the south as far as Trepasse, with a strong fort at the Harbour of Plaisance, but 12 miles from the English at the bottom of the Bay of Trinity. It is therefore offered that Trinity, Harbor de Grace, St. John's, and Ferryland are the most fit harbours to fortify; that no fires be made in the woods in summer time when they go to fetch "dinnidge" for their ships, in regard the grass and moss is then so dry that many miles of woods have been burnt, so that in some harbours they are forced to go many miles for timber; and that the articles made for regulation of the country may be sent to the mayors of the port towns to deliver each master a copy, and that in the articles a strict order be made to the Admiral of every harbour to charge each master to observe them, the harbours being so distant that a governor cannot inspect all. 1½ *pp.* [*Col. Papers, Vol.* 34, *No.* 25.]

Mar. 17–18. St. Jago de la Vega. **471.** Minutes of the Council of Jamaica. Present: John Lord Vaughan, Governor, Sir Henry Morgan, Lieutenant Governor, Col. Thos. Freeman, Col. John Coape, Col. Chas. Whitfield, Col. Thos. Ballard, Lt.-Col. Robt. Byndlosse, Lt.-Col. Wm. Ivey, Lt.-Col. Thos. Fuller, Maj. Anthony Collier, Hender Molesworth, and John White. Col. Thos. Freeman, not being named a Councillor in the Instrument of Government, his Excellency produces a Privy Seal for the admission of him into the Council, who thereupon took the usual oaths. Col. Thos. Ballard, Lt.-Col. Wm. Ivey, and Hender Molesworth, Esq., likewise sworn of the Council. His Excellency's instructions, received from his Majesty with the Instrument of Government, read. Ordered, on reading the 14th Instruction for the encouragement of persons of different opinions in matters of religion, &c., that proclamation be forthwith issued, that his Majesty's indulgence may be known; and on reading the 17th and 18th concerning the re-enacting of the laws and transmitting them to England, &c., ordered, that writs be immediately issued for calling another Assembly at St. Jago, 26th April, and that the following proclamation be forthwith published by beat of drum: Whereas by his Excellency taking upon him the government of this island, the Assembly called by the late Lieutenant Governor, Sir

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Thos. Lynch, to meet on the 18th Feb., became immediately dissolved; nevertheless, to avoid all scruples, his Excellency hereby dissolves said Assembly. Ordered, upon the 21st and 22nd Instructions, that Sir Thos. Lynch, on notice given him, deliver to his Excellency and this Board an account of all arms, stores, and ammunition remaining in this island; and, upon the 28th Instruction, that he attend the Board ten days hence with all accounts and papers relating to his Majesty's 15th and other duties, and all other public monies which have been passed through his hands. Ordered, on reading a proclamation from his Majesty concerning the Royal African Company, with a letter from the Privy Council of 2nd December last, importing the speedy publication thereof, that said proclamation be forthwith published by beat of drum, and set up in some public place.

March 18. Proclamation, in accordance with his Majesty's instructions: That no persons in this island be molested by reason of difference in opinion or practice of religion, nor be compelled against the scruple of their conscience to take the oaths of allegiance and supremacy, they, by some other form of asseveration, securing their allegiance to his Majesty and the Governor of this island, then all such shall enjoy the same rights and privileges as any other of his Majesty's subjects; provided always, that they be content with a quiet and peaceable exercise of their own religion, and presume not by reviling language or other indecent actions to disturb those of different persuasions; and that nothing herein be construed to excuse any person from performing all duties and services, military and civil, for better security of this island. Proclaimed by beat of drum at St. Jago and Port Royal, Mar. 19th, 1675. [*Col. Entry Bk., No. XXXV.*, 391–397.]

March 18. Whitehall. **472.** Journal of the Committee of Trade and Plantations. A list given in by Mr. Locke, late Secretary of the Council of Plantations, of all papers he had received from Dr Worseley, but for globes and maps he never had any. Ordered, that Dr. Worseley give account whether he knows of any other papers than these. Discourse with Mr. Cranfield about some points of his instructions; a mistake in a master's name, viz., Simon Orton for John Broad to be amended. Also with Messrs. Child, Perrot, Scut, and others touching the business of Newfoundland. Letter read from Mr. Gould, showing the necessity of a colony for fishing cheap, and for the safety of the island, against which all urged many reasons. [*Col. Entry Bk., No. CIV.*, 10.]

March 20. Derby House. **473.** Saml. Pepys to Sir Robert Southwell, Secretary to the Committee of Council for Plantations. Has come back a little out of sorts, otherwise had visited him and his Doomesday Book. Enclosed is copy of the Charter party of one (which, with the notes annexed, serves for the other two also) of the ships hired for Surinam; and also copy of the instructions to the masters, which is what his letter of yesterday commands. Finds in said papers the master of the Hercules called George (not John) Broad, and does not know why it is not Simon Orton; but if the Dutch papers

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call him Orton he must be contented to go by that name for this turn, as he believes another ere this obliged to do in behalf of Baker, master of the Henry and Sarah, whose illness at his departure left little hopes with his merchants of his surviving half the voyage. But more of this and everything else when he sees him on Monday. *Enclosed,*

473. I. Charter party of affreightment of the ship America, of London, of 494 tons burden, between the Commissioners of the Navy and Roger Paxton, master, hired for 6 months certain and 6 months uncertain for a voyage from London to Surinam, where Paxton is to take on board all such of his Majesty's subjects, their families, servants, negroes, goods and chattels, and transport them to such port in the West Indies as shall be appointed by said Commissioners or their agents. Said ship to be manned with 40 men, and furnished with 20 pieces of ordnance, sufficient ammunition, 40 tuns of water cask extraordinary for passengers, and 2 good boats; and to be ready by the 1st Jan. next to take in such stores as said Commissioners shall think fit (provided they be no more than the ship may reasonably carry), and to be at Gravesend by 5th Jan., ready to sail with the next good wind and weather. In consideration whereof said master is to receive 285*l.* per mensem during the voyage, two months in advance, viz., 285*l.*, and the value of 285*l.* in sea victuals provided for his Majesty's ships. On breach of covenants he is bound to the Commissioners in the penalty of 1,000*l.*

Like charter party, the 20th Nov., with Gregory Page and George Broad, Master of the ship Hercules of 484 tons burden, with 36 men, 10 pieces of ordnance, sufficient ammunition, and 30 tuns of water cask.

The like charter party with John Baker, master of the Henry and Sarah flyboat, of 300 tons burden, with 28 men, 10 pieces of ordnance, sufficient ammunition, and 20 tuns of water cask. 1674, Dec. 4.

473. II. Abstract of above charter party for the ship America.

473. III. Instructions for Capt. John Baker, Master of the Advice Boat (Henry and Sarah) appointed to go to Surinam, being the same as the Draft of 22nd Dec. with an additional clause that he is to take care not to use any threats to such of His Majesty's subjects as shall not be willing to come off. 1675, Jan 20. *Together,* 8 *pp.* [*Col. Papers, Vol.* 34, *Nos.* 26, 26 I., II., III.; *also Col. Entry Bks., No. XCIII., pp.* 124, 125, *and No. LXXVIII., pp.* 23–26.]

March 20. London. **475.** James Houblon to [Sir R. Southwell]. Begs pardon that he did not wait on the Lords as desired, though mighty unwilling to talk in public, but was prevented. Is altogether a stranger to

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the point at issue, though Mr. Sec. Williamson told him there was an intention to send a Governor and Colony to Newfoundland to retrieve that trade. The reasons of the decay of this trade are: (1.) The infinite losses sustained by taking English vessels at sea for want of protection, this trade being driven in vessels of little defence, especially in the Spanish Wars 1657 to 1660, when were lost 1,200 ships, a great number being fish ships, to the great impoverishment of Plymouth, Dartmouth, Lyme, Poole, and other fishing towns, which they have never recovered, but are forced to take up moneys on Bottomry at 20 and 22 per cent., so that in bad years more than all the profit goes to the usurer, and in good years they cannot get a step forward, and so in time will dwindle to nothing. (2.) The mighty increase of the French in this trade since their treaty with Spain, the French merchants being mightily encouraged by the King, with money out of his Treasury, towards building ships, and convoys allowed them; their wages, shipping and materials are cheaper, and the most mighty men of St. Malo, Rouen, Dieppe, Nantes, Rochelle, Bourdeaux, and Bayonne, employ their stocks this way, and have good defensive ships of 12 to 24 guns; so that by supplying the Spanish and Italian markets better and cheaper, they increase and we dwindle; for before their peace with Spain, all the markets of France were supplied with dry fish by the English, but now they not only supply all their own markets, but mate the English in Portugal, Spain, and Italy. It seems a necessity for the State that this trade be not lost; and hearing that all particular interests, even of the west country towns, must not be in competition with the general good, is afraid that any new contrivances to continue in the old way by sending ships and men yearly out will not counterpoise the weakness in stock of those in possession; and therefore if those who propound making a plantation of Newfoundland can make out that it will but set us on even ground with the French, it would be to be embraced. There are seeming advantages of a plantation, viz.: (1.) Fish may be cheaper made employing far less stock; for whereas a vessel with 60 or 80 men takes up 1,200*l.* or 1,500*l.* stock, and spends five months out of nine going and returning, building stages and catching bait, during which they do nothing for the provisions they eat, this will be saved if only planters made fish, and the ships going yearly to fetch fish would carry salt provisions and other necessaries. (2.) Fish would be made with much greater care, every planter striving to outdo his neighbours to get customers, and prevent its being left on his hands. (3.) Fish being better and cheaper, merchants would be more invited to deal in it, the west countrymen make contracts for fish before their ships go out, so if they miscarry or have a bad fishing, this contract is void and the poor contractor bears the damage of sending his ship to Newfoundland and back for nothing; and the planters being sooner at work and having all things fitted to their hand and their whole livelihood depending upon it should catch more fish. But there must be mighty care in choosing a Governor, he must be a plain industrious man cut out for his business, for such a trade will not endure tyranny or charge; and in his judgment the planters should choose

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a Governor amongst themselves and make their own laws. The main objection may be the clamour of the West Country Corporations, who may plead that they will be put out of a trade at once, which it is certain in time would be left not only to them but to the whole nation; but thinks the interest of a few towns must not come into competition with the whole; besides, they or their agents will be the first planters, and may profit much more by this undertaking than by the old, and is sure it will better answer their small stock. Is of opinion that so far from causing us to have less shipping and seamen, we should in time have more, as being the only probable means to get this trade from the French, without which it will be in a few years given up to them; and of what consequence that would be, is troubled to think. But having never heard the arguments on both sides, begs leave hereafter to be of another opinion when better informed, being indifferent as to his particular. 8 *pp.* [*Col. Papers, Vol.* 34, *No.* 27.]

March 21. **476.** Sir J. Williamson to John Leverett, Gov. of Massachusetts. Has received his favour of 30 Dec., in his and the Council's name concerning the Expectation, but, the interested having not yet appeared, nothing further has been done save to have it read before his Majesty and the Foreign Committee; will give him notice, as any thing further is resolved, so far as it may concern him or his colony. Offers his services in anything for the interest of his colony or himself. Hopes he will oblige him now and then to let them hear what passes in those parts of any kind. 1 *p.* [*Col. Entry Bk., No.* 93, *p.* 129*b.*]

March 21. Southampton. **477.** Th. Farr, Mayor of Southampton, to the Committee of Council for Trade and Plantations. In obedience to their order of 25th Feb., has convened the Corporation and others concerned in the Newfoundland trade, and some Masters that have used that employ above 20 years, who say that the English Plantation from Trapazi to Bonavista is about 80 leagues, within which are many convenient harbours which are named, wherein about 1,000 English Planters are commonly resident all the winter, and in summer 4,000. The French Plantation is in the Bay of Placentia, with a fort with 14 guns and 40 or 50 soldiers; and being not above six miles by land from the English at the bottom of the Bay of Trinity, the French draw away many English, intermarry with them, and bring up much of their fish against the coming of their ships. They also say that the stages they build to cure their fish are broken down by the planters in the winter, causing the merchants to send their ships a month sooner than otherwise they need to make new ones. The masters last year at Newfoundland positively affirm that five ships of St. Malo were laden at Bonavist and Trinity Bay, and that as many more are this year designed under the disguise of Jerseymen, to the great prejudice of English navigation. Assures them this formerly flourishing but now decayed town in trade will always be ready to their utmost to advance his Majesty's interest, and would think themselves happy to receive encouragement. 1 *p.* [*Col. Papers, Vol.* 34, *No.* 28.]

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March 22. **478.** Proposal of Edward Cranfield about distribution of provisions (to be sent to Surinam). Presumes the principal consideration moving his Majesty to send the provisions was to accommodate the poorer sort of people and not to feed the richer planters or their negroes, or indeed any, while at sea which would be no kindness to rich or poor, for all people in plantations have always sufficient provisions in the ground to support them till the season for producing new, which being taken up will serve them during their transportation and be more eligible when fresh; but when their own are spent, these provisions will support them till they can procure new, which will be the greatest encouragement to overseers, millwrights, carpenters, and other artificers, the useful men in settling new Colonies to come, for otherwise they would become a prey to any that would take advantage of their indigence. 1 *p.* [*Col. Papers, Vol.* 34, *No.* 29.]

Mar. 23–24. Whitehall. **479.** Minutes of the Committee of Trade and Plantations. Mar. 23, Surinam. On reading over his Instructions, on the proposition of Mr. Cranfield, his 10th Instruction was quite altered, so as to leave it to the Commissioners' judgment what provisions to be allowed, to whom, and when. Ordered, that Mr. Pepys give the masters of the vessels orders to issue the provisions as the Commissioners shall direct.

Mar. 24, Surinam. Messrs. Cranfield and Brent attended. The 10th Instruction was quite changed, and with the rest read and approved, and the blank in the Commission was filled up, for now came that letter from Zealand which the Lords thought so necessary, as appears by their order of the 11th Feb. (*see ante, No.* 433). Ordered, that in the letters to the Governors abroad, where double the quantity of land is promised to those who remove, that expression be omitted in the letter to the Governor of Barbadoes, all the land there being in property already. 2 *pp.* [*Col. Entry Bk., No. CIV.*, 11, 12.]

March 24. **480.** New method of Instructions for the Masters of the merchant vessels Henry and Sarah, America, and Hercules, hired for Surinam, as to the distribution of provisions, being to the same effect as the Mem. (*see ante, No.* 446); but Masters are to be directed, in lieu of the method already given them from the Officers of the Navy, to issue said victuals to such persons only, in such proportions, and at such times, dressed or undressed, whether at their coming aboard, during the passage, or after their being landed in the respective colonies, as they shall be directed in writing before their departure from Surinam by one or more of the Commissioners. If their Lordships approve this, the Commissioners must be directed to see that their warrants to the Masters for issuing these provisions answer to the particulars herein stated, and to attest a list of the passengers with the Master of each ship; the Governors of the respective colonies also attesting other lists of the passengers landed, with certificates to the Masters of any provisions put to sale, and the proceeds, with express directions to notify to the Lords of the Committee or Officers of the Navy any

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complaints by passengers of failure in the Masters to execute said warrants. *Endorsed,* "Rec^{d} from M^{r} Pepys, 24 March 167$\frac{4}{5}$." 3 *pp.* [*Col. Papers, Vol.* 34, *No.* 30.]

March 24. Jamaica. **481.** Lord Vaughan, Governor of Jamaica, to the Lords of the Council. Received on arrival their Lordships letter of 2nd Dec. last, with his Majesty's Proclamation concerning the Royal African Company, which he has ordered to be proclaimed, and will do his utmost to see punctually observed. "Reced. and read in Council, June 23, '75." 1 *p.* [*Col. Papers, Vol.* 34, *No.* 31.]

March 25. Whitehall. **482.** Minutes of the Committee of Trade and Plantations. Several Newfoundland merchants appeared to debate about the fishery of Newfoundland, as Messrs. Child, Jas. Houblon, Newland, Scut, and Perrot (who had been often in New England), Mr. Rider, the Recorder of Dartmouth, and the Agent from Weymouth; also a letter read from Mr. Gould, still opposing the present way of sending our ships, advising a colony, which also Mr. Houblon urged by many arguments, presenting accounts of charge attending the way of fishing by ships. A large letter from him of the 20th inst. to Sir R. Southwell read (*see ante, No.*, 475) great debate thereon; he condemns the present method, proposes more advantage by inhabitation as the way to catch more fish, and much cheaper. That the French would inhabit too, and this would help to extinguish our nursery of seamen, to which he answered that, if so, it would extinguish that of France, which were to our advantage, since they had no other nursery, but we had several, as Newcastle, &c. Against this opinion two papers were given in by Mr. Perrot, showing the mischiefs of inhabitants, that the French manage their trade as we do, and proving by accounts that our Adventurers catch fish cheaper than the inhabitants, who are forced to idleness and debauchery a great part of the year; also that we keep a superiority over the French in all the foreign markets, except in France, where we vend none, the French catch more green fish on the bank, and at Bilboa the Spaniards affect their dry fish as looking somewhat fairer than ours. The debate put off till the 30th inst. 1$\frac{1}{2}$ *pp.* [*Col. Entry Bk., No. CIV.*, 13, 14.]

March 25. **483.** "Some modest observations and queries upon the last debate before the Committee of Lords for Newfoundland, by an Englishman only concerned for the public good of his King and country." It is agreed by all parties that the interest of England in relation to Newfoundland consists in keeping up and improving the fishing trade, for advancing his Majesty's customs, increasing seamen and ships, vending English commodities, enriching English merchants and consequently the nation, and hindering the French in all these particulars. The question is, then, whether these ends will be best effected in case the fish be taken by the inhabitants of Newfoundland or by the summer traders and English merchants, or by both as formerly without a Governor. His Majesty's customs arising from merchandise purchased by the fish, the English must take such quantities and at such cheap rates as to undersell and

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discourage the French, as instanced in the sugar trade with Portugal. Arguments on the fish query, whether the inhabitants on the place may not afford to sell to our merchants cheaper than the merchants can catch fish, which the Western Merchants deny, and say that the inhabitants lying idle all winter is equivalent to their summer charge; that, if they come only to buy, the inhabitants will exact upon them, and say it is all one to buy of the French; that there will not be so much English provision spent, nor so many seamen nurtured. Replies to these objections. It will easily be resolved whether the best cure will be by taking away the inhabitants and leaving the possession for the French, or by encouraging inhabitants, sending force, and settling a Government. When there was no king in Israel, every man did what was right in his own eyes; where no Governor, no government; laws are of no effect where no magistrate; and where no order is confusion. Answers to the objections that a Governor was useless because he cannot go to all places in his charge by land. As to the merchants' particular gain, the particular must submit to the general good; but is it not the most gain to the merchant to buy so cheap that he can undersell his neighbours, utter the greatest quantity, make the quickest returns without men and ships lying idle, sell the provisions he would spend, and avoid the grievances he complains of? But if the fishing be carried on as now, a Governor will be necessary to see good order between merchants and inhabitants, or if by the fishing ships alone, yet, to preserve his Majesty's propriety, force and fortifications will be necessary. It were much pity that in this case any English heart or head should take up the fancy of the Irish, who articled against Lord Stafford for a great oppressor, because he would not let them draw their horses by the tails as they were wont, but enjoined them the better way of harness; for all the arguments against encouragement to inhabitants and settling a Governor seem strongly to imply a necessity of both. *Endorsed,* "March 25th 1675." 5 *pp.* [*Col. Papers, Vol.* 34, *No.* 32.]

March 25. St. Jago de la Vega.

484. P. Beckford (Deputy Secretary of Jamaica?) to Sir Joseph Williamson. Lord Vaughan arrived on 13th inst. at night and landed at Port Royal; next day his commission was read, and he was entertained as well as the island could afford; 15th, he remained on Port Royal, viewing the fortifications; came next day to St. Jago, being received at the seaside by 150 horse and a company of foot, besides the gentlemen of the country and 7 coaches, all which attended him to the town, where he was received with 2 companies of foot, and dined with Sir Thos. Modyford. After dinner his Commission was read with great solemnity. Since then he has been wholly entertained by Sir Thos. Lynch and Sir Thos. Modyford to both of whom he shows great respect. Within two days his Lordship called his Council, where it was ordered that there should be proclaimed the King's Proclamation concerning the Royal Company, toleration of religion, dispensing with the oaths of allegiance and supremacy where there was scruple of conscience, and the dissolution of the former Assembly. Writs were also

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issued for an Assembly to meet 26th April next. Being informed that his Lordship resolved to curtail the Secretary's place all he could, told him the injury would lie on Beckford and not on the Patentee of whom he had rented the place for 3 years; but what did the greatest service was Sir Joseph's letter, his Lordship promising not to do any injury to the place so long as his time lasted in it. Prays him once more to write to his Lordship. 1½ *pp.* [*Col. Papers, Vol.* 34, *No.* 33.]

Mar. 25–26. **485.** Minutes of the Assembly of Barbadoes. The Assembly having sat 3 several times by adjournment, according to the rules of the House, Col. Chris. Codrington was re-elected Speaker. Upon reading a petition and complaint of Edwyn Stede, Provost Marshal of this Island, to his Majesty against one of his Majesty's judges of the Common Pleas of this island, wherein the Assembly are falsely and scandalously reflected on, resolved, that the House address themselves to his Excellency and Council for reparation for said abuses; and that the foregoing vote, with copies of the petition and complaint therein mentioned, be presented to his Excellency. Edwyn Stede's petition to his Majesty, with a reference from his Majesty to the Council of Trade and Plantations, dated 19th Nov. 1673, and statement of "the case of Edwyn Stede" annexed; and also the opinion of the Council for Trade and Plantations, dated 8th March 1674 (*see preceding volume, No.* 1238). An Act for taking off the 80 days after execution for future contracts, passed with the addition made by his Excellency and Council. Three members nominated a Committee to prepare and present to the House in the morning a petition to his Majesty concerning the many grievances put upon the island by the Royal African Company, and to move for the uses of the 4½ per cent. and trade with Scotland.

March 26. Voted that the Speaker in behalf of the House request his Excellency and Council that Edwyn Stede, Deputy Secretary, be suspended from all his public offices in this island till he have justified or cleared himself of the false and scandalous reflections on the Assembly in his petition and complaint to his Majesty. Ordered, that the Treasurer inspect the account of Benjamin Dweight for accommodation of a Committee of the Council and Assembly for one day, and pay what shall appear due out of the Excise on liquors imported. An Act for regulating the gauge of sugar cask read and passed. Answer to the collection of the defects of the laws of Barbadoes, drawn up, read, passed, and communicated to the Council. Voted, that the Treasurer may disburse 10,000 lbs. of sugar for the needful repair of the house of John Stanfast. That the Treasurer inspect the account of Paul Gwynn for accommodation of the Assembly, also the charge of the former Assembly at his Excellency's arrival, and pay what shall appear due out of the Excise on liquors imported. 7½ *pp.* [*Col. Entry Bk., No. XIII.*, 157–164.]

March 28. **486.** Warrant to the Attorney or Solicitor General. Whereas Sir Peter Colleton, Bart., has informed his Majesty that his brother JamesColleton, Gent., having been violently assaulted and wounded by Elisha Bridges, *alias* Blackney, a Constable at Bridge Town in

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Barbadoes, happened to kill Bridges, and that several concerned in the fact have been acquitted, it is his Majesty's pleasure that a Bill be drawn to pass the Great Seal containing a grant of pardon to said James Colleton for killing said Elisha Bridges, *alias* Blackney, and of all penalties and forfeitures by reason thereof, with a *non obstante* of the Statutes of 13 Richard II. and 14 Edward III., and such other clauses as are usual (*see ante, Nos.* 421, 425). [*Dom. Entry Bk., Chas. II., Vol.* 28, *p.* 151.]

March. 28. **487.** The King's Commission to Edward Cranfield, Edward [Richard] Dickinson, and Mark Brent. Whereas by Articles of Surrender of the Colony of Surinam, agreed upon between Col. Wm. Byam, late Lieutenant-General of Guiana (*sic*) and Governor of Willoughby Land, and Commander Abraham Crynsens, Admiral of a squadron of Zealand ships, dated on board the ship, Zealand, 16 March 1667, it was provided that if any of the inhabitants should at any time intend to depart, they should have power to sell their estates, and the Governor should procure them transport at moderate freight with their estates, which Articles were confirmed by the Treaty of Breda, and fully ratified by said Crynsens and others at Surinam, the $\frac{20}{30}$ April 1668; but not having been performed were, by the late Treaty of Westminster, of $\frac{9}{19}$ Feb. 1673, agreed to be executed without any manner of tergiversation or equivocation for which purpose the States General have at length issued their Orders of the $\frac{8}{18}$th and $\frac{18}{28}$th Jan. 1675, and the States of Zealand likewise issued their orders of 16 Feb. 1675 to the Commander of Surinam, Captain Peter Vorsterre (to conform to said Order of the States) that it shall be lawful for the King to send one, two, or three ships at a time to Surinam, and thereon to embark his Majesty's subjects there, their estates, goods, and slaves. His Majesty has constituted the above-named Commissioners to demand and effect the entire execution of said Articles and Orders, and particularly of what is agreed as to the liberty of his Majesty's subjects to transport themselves thence with their slaves, goods, and estates; and in order hereto to treat and conclude with the Governor of Surinam or such Commissioners as he shall appoint, on all differences arising in the execution of the premises, and to do all other things necessary thereto, His Majesty promising to ratify whatever shall be concluded by them. *Draft with corrections.* 4 *pp.* [*Col. Papers, Vol.* 34, *No.* 34.]

March 28. Whitehall. **488.** Fair copy of preceding with blanks filled in. [*Col. Entry Bks., No. XCIII.*, 130–131., *and No. LXXVIII.*, 5–9.]

March 28. Whitehall. **489.** The King's Instructions to Edward Cranfield, Richard Dickinson, and Mark Brent, for the execution of his Majesty's Commission for bringing off his Majesty's subjects with their slaves, goods, and estates from Surinam. To use their best endeavours speedily to arrive at the River of Surinam, and there arrived, to give notice to the Governor of their arrival, deliver the letters from the States General, Prince of Orange and States of Zealand, and acquaint him with the tenor of their Commission, and demand a

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time and place of meeting to settle all things necessary for the transport of his Majesty's subjects, their slaves, goods, and estates, and that he publish within 3 days the orders now sent him as directed by the States General. But before such meeting, to desire a convenient time of conferring with his Majesty's subjects, and to insist on a speedy permission to notify to the planters their errand; and accordingly send ashore discreet persons acquainted with the planters, to acquaint them with his Majesty's gracious provision of shipping and conveniences for bringing them, their slaves and estates, from Surinam to such of his Majesty's plantations as they shall think fit to settle in, and particularly how his Majesty has written to the Governors of the Caribbees and Jamaica, to use them kindly, and proportion to all double the quantity of land by the head usually allowed to planters, and to take care that they be furnished with provisions and other necessaries at moderate rates till they can produce them themselves. No one of them to be liable to satisfy debts that were confiscated to the Province of Zealand by virtue of the Articles of Surrender made by Col. Wm. Byam. To adjust with his Majesty's said subjects the time for embarking; who must each one give in his name to the Governor ten days before embarking to avoid threats to any who shall not be willing to leave the place, and to see that the Governor observe that the States directions against menaces or other means to procure their stay. To press punctual payment of debts owing to his Majesty's subjects by the Dutch, which the Governor is directed to endeavour to do, and prrticularly to press for satisfaction for cattle, provisions, and other goods taken from them by the Governor during the war, and for which he became debtor in his books, and to prevent any artifice for obstructing them on this pretence. The greatest difficulty his Majesty can foresee will be in adjusting the debts due from his subjects to the Dutch, for the adjusting and determining of which directions in detail are given. To make the best accommodation the shipping will permit for his Majesty's subjects, their families, servants, slaves, goods, and utensils for making sugar, endeavouring with the Governor's assistance the hiring of other ships at moderate rates if necessary. But if on the contrary, by the unwillingness of his Majesty's subjects to depart, there is no occasion to employ all the ships sent, to dismiss such of them as are not needed; if stay of his Majesty's subjects should arise from any obstruction from the Officers of the Colony to protest against the Governor, as in all cases where they fail in the execution of those orders, delivered to the Governor from his superiors. As soon as they are freed from Surinam, to sail for Barbadoes, St. Christopher's, Jamaica, or other of the Leeward Isles as his Majesty's subjects shall respectively desire, and they have promised at Surinam for their settlement, and there land them with their goods, hiring other conveniences in case any of them desire to be scattered to such places as their shipping cannot supply. Directions concerning the supply of his Majesty's provisions for the relief and support of his subjects, whether on the voyage or when they land, having especial regard in the distribution to the poorer sort, as overseers, millwrights, boilers, carpenters, and other artificers. And because the

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masters will account for said provisions, to prepare lists of the names of persons put on board each ship, with the date of embarkation, and how to be victualled, which lists, with certificates of the respective Governors where the persons land, shall be a sufficient voucher to the masters when they come to pass their accounts before the officers of the Navy; directions in case of complaints by passengers if the masters fail in the execution of their orders, or if there be any surplus victuals. Lastly, to make diligent dispatch, giving information from time to time to the Secretaries of State, sending duplicates of all that occurs, pursuing such further instructions as they shall receive, and when the ships are emptied, leaving them to the prosecution of their sailing instructions. *Draft with corrections.* 14 *pp.* [*Col. Papers, Vol.* 34, *No.* 35.]

March 28. Whitehall. **490.** Two fair copies of preceding. [*Col. Entry Bks., No. XCIII.*, 131–134, *and No. LXXVIII.*, 10–20.]

March 28. Whitehall. **491.** Additional private instructions to the above-named Cranfield, Dickinson, and Brent. Although directed in the 7th Article of their Instructions to protest against the Governor if he obstruct the coming away of any of his Majesty's subjects, they are to make it their principal care to accommodate all things in an amicable manner, making the best benefit of the orders now sent in favour of his Majesty's subjects, and to urge thereon any further fair and reasonable demands, but not to make any breach on refusal; and though they are to protest against the Governor for refusal of any point wherein he ought to consent, not to omit to accept performance where the Governor complies with what he is ordered. If they find any of his Majesty's subjects refusing to quit that place unless they may be transported for England, Virginia, or other his Majesty's Colonies below Jamaica, to agree to their desires, as Mr. Baker in the Advice boat had instructions to make them such promise, but as much as possible to persuade them to go to the other plantations with their companions. *Draft with corrections.* 1½ *pp.* [*Col. Papers, Vol.* 34, *No.* 36.]

March 28. Whitehall. **492.** Two fair copies of the preceding. [*Col. Entry Bks., No. LXXVIII., p.* 21, *and No. XCIII. p.* 135.]

March 28. Whitehall. **493.** The King to the Governor of Virginia. Recommending Edward Cranfield, Richard Dickinson, and Mark Brent, who his Majesty has sent as Commissioners to Surinam, to take care of and embark all the King's subjects willing to leave that Colony and settle themselves in any other of his Majesty's plantations, and commanding him to receive with all kindness and friendship such as desire to settle under his government. Mem.—That similar letters were sent to the Governors of the Leeward Islands, and to Barbadoes, and were first put into Sir Robt. Southwell's hands at the Committee for Plantations, 30th March 1675 (*see No.* 504). 2 *pp.* [*Col. Entry Bk., Vol.* 93, *p.* 53.]

March ? **494.** An account of his Majesty's plantations in America, whether governed by Proprietors, Corporations, Companies, or by

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Governors immediately appointed by his Majesty. The plantations governed by his Majesty's immediate Commissions are Virginia and the Province of Accomack, Jamaica, &c., &c. 3 *pp.* [*Col. Entry Bk., Vol.* 97, *p*, 1.]

March 29. **495.** Account by Capt. Dudley Lovelace, of the Dutch fleet on the coast of Newfoundland, in 1673. Capt. Dudley Lovelace of New York, with 50 soldiers all prisoners, in several Dutch ships, were brought on the coast of Newfoundland, 4th Sept. 1673, and carried into Ferryland Harbour, where the enemy plundered and destroyed cattle, household goods and stores belonging to the following inhabitants, viz., Lady Kirke, Lady Hopkins, George and David Kirke and their brother, Wm. Jones, Ez. Dibble, John Kent, Phil. Davis, Wil. Robins, Chr. Holland, John Heard, Robt. Love, and many others, to the value of 2,000*l.*, and took four great guns, the fort being out of repair. The day following, 30 fishing boats belonging, as the inhabitants said, to Nix Nevill of Dartmouth, *cum sociis*, were burnt in the Harbour, as much fish as the ships could carry taken, and the inhabitants forced to send six hogs and a bullock to each ship, as a composition for what the Dutch left behind. On the 9th the Dutch plundered Will. Pollard's house, 3 miles distant, of fish, stuff, provisions, and household, amounting to 400*l.*, and burnt there 40 fishing boats, warehouses, &c., besides taking several prizes to their general rendezvous at Fioll (Fayal). Names of the Dutch Commanders and ships, viz., three ships of 40 guns and one of 36, under Admiral Nich. Boes. "To the truth of this I am ready to depose, Dudley Lovelace." 1 *p.* [*Col. Papers, Vol.* 34, *No.* 37.]

March 29. St. Jago de la Vega. **496.** Minutes of the Council of Jamaica. Sir Thos. Lynch praying a longer time for bringing in his account of arms and ammunition, by reason of the sickness of Col. Theodore Cary, Captain of Fort Charles, ordered, that Sir Henry Morgan, Lieut.-Col. Robt. Byndlosse, and Col. W. Beeston receive and examine the account, and make return thereof to his Excellency. [*Col. Entry Bk., No. XXXV.*, 398.]

March 30. Whitehall. **497.** Warrant to the Attorney-General. To prepare a Bill for the Royal Signature to pass the Great Seal, containing a Grant to William Killegrew, Esq., of the office of Surveyor-General of Jamaica, void by the forfeiture of [*blank*] Burford, late Surveyor-General there, to exercise the same by himself or his sufficient deputy for life, with all fees and advantages enjoyed by said Burford or any other person (*see No.* 515). 1 *p.* [*Dom. Entry Bk., Chas. II., Vol.* 14, *p.* 134.]

March 30. Whitehall. **498.** Minutes of the Committee of Trade and Plantations. Newfoundland. Several merchants attended as Messrs. Houblon, Gould, Child, Perrot, Scut, Pollexfen, Herne, Braddyl, Newland, the Recorder of Dartmouth, &c., and Mr. Hinton, the petitioner, who could urge nothing but what was expressed in his papers. Mr. Houblon urged some calculations showing that though the French out-did us in cheapness of victualling at sea, it was balanced by the

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excessive wages, &c., they pay, and that the French could not sell cheaper than we, but rather otherwise. Then calculations were urged to show how much dearer it was to the adventurers than to the planters to catch fish which was impugned to the contrary, which seeming to be made out did much incline the Lords because of the nursery of seamen to adhere to the old way, and especially when Mr. Child urged that a colony at Newfoundland the more it prospered the less it would be to the advantage to Old England, for it would adhere to and depend on New England, and be no more to his Majesty than Ireland. If no colony then no Governor; nor could one be maintained out of the fish trade, nor the same regulations imposed as in other plantations, the fish being all the proper vent of foreign markets. A paper of 10 reasons by Mr. Perrot read, and all the merchants discourses except Messrs. Houblon and Gould's the same way; the Lords seemed to conclude against a Governor, but thought the trade should have some better regulation and government, and would meet on Thursday to examine the progress of the French, and what may be fit to secure us against their augmentation there. 1½ *pp.* [*Col. Entry Bk., No. CIV.*, 14, 15.]

March 30. **499.** Richard Hooper and Thomas Gearing, Mayors of Barnstaple and Bideford, to the Council for Trade and Plantations. Have received their Honors orders of 25th Feb. last, relating to the settlement, government, and trade of Newfoundland, and consulted with those concerned in those matters, and now deliver their opinions which are contained in nine articles, and identical with, being almost word for word the same as, the Report of the Council of Plantations [*see preceding volume, No.* 362 IV.]. Conceive nothing can more conduce to the encouragement and increase of the trade than the continuance in the ancient way, without imposing a Governor, which would be a great burden and hindrance to their voyages for the reasons stated. Because a Governor cannot be maintained without a tax on the fish, train, &c., which the poor fishermen cannot bear, and though it should be small, it would be a great hindrance to loading their ships. The land being well nigh as big as England, with many harbours and landing places and the inhabitants few and unarmed, it is impossible for a Governor without a very great force to prevent the incursion of an enemy. There is no need of a Governor, for the masters are well able to govern their seamen and fishermen, and the inhabitants being few and scattered, it is not possible for one Governor to prevent abuses of the planters; it is therefore desired that no planters be suffered to winter in that barren wilderness at all, for these reasons: Because they generally keep tippling houses and debauch the seamen and fishermen on the Sabbath days; they purloin victuals, salt, and fishing necessaries; they pull down stages when the ships are gone, for firewood and covetousness of the nails, spikes, bolts, &c., which would serve next year, so that the ships are enforced to go a month the sooner, to the expense of victuals and tiring out of the fishermen; they possess the best fishing places, so that many ships have their voyages almost spoiled for want of

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conveniences; and in time of war the planters shelter the seamen, who are thereby kept from his Majesty's service; lastly, that the country itself is a mere rocky barren soil incapable of cultivation not capable of improvement, and fit only for fishing. Names of the ports with the numbers of planters living there, total, 23 ports and 43 planters; no forces or fortifications in any of them, nor any alien inhabiting there. Send these reasons by Richard Harris, whom they have appointed their correspondent in this affair, to attend their Honours. *Endorsed,* "Received from Mr. Harris, 7 April 1675." 3½ *pp.* [*Col. Papers, Vol.* 34, *No.* 38.]

March 30. **500.** Copy of part of the preceding from "Names of the ports, &c." *Endorsed by Williamson.* 1 *p.* [*Col. Papers, Vol.* 34, *No.* 39.]

March 30. **501.** A List of the Papers and Despatches delivered to Mr. Cranfield at his departure as his Majesty's Commissioner for Surinam under the broad seal. His Commission and Instructions and the private ones; the Articles of Breda; the Treaty of Feb. 1673–74; Articles of surrender by Crynsens and Byam; copies of Major Banister's despatches, and of John Baker's Instructions by the Advice boat; circular Letters to the Governors abroad; copies of the points advised by the Council and of the charter parties and sailing orders; the Orders and Despatches from the States General, including Resolution of the States on Sir Wm. Temple's demand that order be given for executing the 5th Article of the Treaty of 1673–74, their Instructions for the Governor of Surinam, and a fresh letter to him to execute them punctually; Resolution of the States General to have Brent's name put in for Gorges', and order to the Governor to admit him; three passes from the States General for the frigate and two flyboats; extract from the Deputies of Zealand's letter to their principals for their orders to accompany those of the States General; and States of Zealand's letter to their deputies at the Hague, enclosing copies of their orders to the Governor of Surinam of the 16th Feby. 1674–75; with memorandum of receipt of the above by Edw. Cranfield from Sir Robt. Southwell, 30 March 1675. 2½ *pp.* [*Col. Papers, Vol.* 34, *No.* 40.]

March 30. **502.** Copy of preceding. [*Col. Entry Bk., No. LXXVIII.*, 1–4.]

(March 30.) **503.** Memoranda of various Papers and Despatches mentioned above, viz.:—

A list of such papers as Mr. Cranfield is to receive out of Sec. Williamson's office.

Papers delivered to Sir Robt. Southwell, March 30, 1675. Despatch for Surinam.

Draft list of Despatches for Surinam.

Orders and Despatches from the States in the matter of Surinam, in the handwriting of Sec. Williamson.

Together, 4 *papers.* [*Col. Papers, Vol.* 34, *Nos.* 41–44.]

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(March.) **504.** Circular Letter from the King to the Governors of the Plantations. To receive with all kindness such of his Majesty's subjects as shall be brought from Surinam by his Majesty's Commissioners, Edward Cranfield, Richard Dickinson, and Mark Brent, proportioning to each planter by the head double the quantity of land usually allowed to others, and taking care that they be provided with provisions, if necessary, at moderate rates; and account thereof as herein set forth. To examine complaints of passengers of any failure of orders given to the masters, and give account thereof to one of his Majesty's Secretaries of State and to the Officers of the Navy. *Endorsed,* "Draft of a Letter to the Governors of Plantations in favour of those of Surinam, viz., to the Gov^{r} of Barbadoes, Leeward Islands, Jamaica. M^{d}, that to the Gov^{r} of Barbadoes, he be not ordered to allow the planters double quantity of land, there being none to spare, but to favour their settlem^{t} the best he can. And quære, if the Gov^{r} of Barbadoes, S^{r} J. Atkins, have the Leeward Islands under him, or that they remain under Col. Stapleton." 2½ *pp.* [*Col. Papers, Vol.* 34, *No.* 45; *also Col. Entry Bk., No. LXXVIII.*, 27–29.]

March 31. Whitehall. **505.** Sec. Sir Joseph Williamson to Sir Jonathan Atkins, Governor of Barbadoes. This comes only to give cover to enclosed packet of ordinary occurrences; and till he has the occasion of doing him more considerable service, means to continue paying his respects in the little newses of these parts, in return for which still begs what passes in those parts, with particular information of the present state of those Colonies, especially Barbadoes, as well for the satisfaction of a man's curiosity, as for their necessary information. *In margin,* "With Collections of News and Gazettes from Jan. 20 to 29 March 1675." [*Col. Entry Bk., No. XCIII., fol.* 137.]

March. **506.** Robert Mason's title to the province of New Hampshire. John Mason was appointed Governor of Newfoundland in 1616, and, along with Sir Ferdinando Gorges, was the first to whom a patent was granted by the Council of New England, with a large tract of land called New Hampshire; expended upwards of 20,000*l.* on the province, and died about 1638, leaving his widow to execute the estate during the minority of his grandson, Robert Mason. Captain Norton, one of her stewards, was brought to account by his successor, Joseph Mason, and cast in great sums of money, to avoid the payment of which he went into the colony of Massachusetts, and entered himself a church member of the Boston congregation, and incited the Massachusetts to seize on New Hampshire, while the heir was under age. Thus suiting their design of making themselves a free State, they invaded New Hampshire and compelled the inhabitants to submission, and imposed taxes and tried to compel the agent and heir to comply with their usurped power, but were not able. Robert Mason has always prosecuted his right since he came of age, and has spent about 700*l.* on it. He had addressed several petitions to the King, offering to resign his grant, and asking for relief against the

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Massachusetts. After an examination of these complaints by several persons of quality at Doctors Commons, they gave a report to the King in Feby. 1661, setting forth Mason's right to the province and the losses he had sustained, to the amount of 5,000*l.*, but leaving the means of righting him to the King, it being a matter of State. In 1665 Commissioners were sent, who, not meeting with a civil reception at Boston, went to New Hampshire and Maine and found a welcome reception and ready compliance, and declared these countries to be out of the government of the Bostoners. The inhabitants of the two provinces are willing to comply with the King's wish of establishing his government there, and all the masts sent to England in the Great Duke of York were cut off Robert Mason's land. Another commission for settling boundaries was agreed upon in 1671, but was stopped by the Dutch war. This being ended, Robert Mason and Ferdinando Gorges propose to resign their grants to the King and take others with less privileges. 3 *pp. Two copies.* [*Col. Papers, Vol.* 34, *Nos.* 46, 47.]

April 1. Whitehall. **507.** Minutes of the Committee of Trade and Plantations. Newfoundland. Resolved to report to his Majesty their full approbation of the rules and orders settled in Council, March 1670–71; but that masters return journals to this Committee in lieu of the Council of Plantations. A new reference to be made to the King's Council to know how crimes in that place shall be tried and punished, and that the Western Mayors take out a new charter with the additional powers in the said order mentioned; to which resolution, and of having no Governor or Plantation, all concurred, except the Lord Privy Seal. Ordered, that living within 6 miles of the shore from Cape Race to Bonavista be made a high crime according to the rule of the Charter, the Lords supposing most would come away if debarred from license in that particular. That the Western merchants attend on the 8th inst., to advise on the following points, whereof they were to have notice: (1) What amendments could be made to the former rules, what impediments in the trade removed, and what neglects in the execution of rules? (2) What fit instruction could be given to the convoy now going, to make "himself" useful there? (3) How the French proceed in their trade as compared with the English; their victuals, wages, way of curing fish, &c., and how rich were their Adventurers? (4) How to invite the planters, since this point was so much insisted on for a better establishment for the future? 1½ *pp.* [*Col. Entry Bk., No. CIV.*, 16, 17.]

April 3. Derby House. **508.** S. Pepys to Sir Robt. Southwell. Finds that Mr. Cranfield's going away was very quick after he had his despatches from Sir Robert, in that he left behind his instructions from the King for all that concerns him after his having done at Surinam, which he has sent after him, but they would have called for a good deal of discourse with the Secretary to have made himself master of them, which the Secretary seems to have expected. Is at a loss what to do for the Norwich, or to know whether anything can be done,

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for either Lord Orrery stopped her and so his passage s secured, or she is past recalling; will advise with the Lord Treasurer in it. Favouring his own eyes makes him borrow another's hand. 1 *p.* [*Col. Papers, Vol.* 34, *No.* 48.]

April 5. **509.** Edward Cranfield to Sir Robert Southwell. Has received his packet directed aboard the Hunter and his of the 3rd inst. Thanks for his care in sending to Mr. Pepys about Mr. Orton, who as yet they hear nothing of, notwithstanding he was accommodated with a vessel by the Commissioners of the Navy to overtake Cranfield. Has lost a fair wind through his absence, and desires the King's order to sail without him. The sad misfortune befallen the Earl of Meath and the rest of the passengers extremely afflicts him. [*Col. Entry Bk., No. LXXVIII.*, 91, 92.]

April 5. Aboard the America (in the Downs). **510.** Edward Cranfield to Sir Robt. Southwell. Last night Capt. Orton came to Deal, but could get no further than Sandwich Haven. Has sent a boat to bring his things on board, and meantime the ships are preparing to sail. Will omit no opportunity of remitting accounts of his proceedings. ½ *p.* [*Col. Papers, Vol.* 34, *No.* 49.]

April 5. **511.** Copy of preceding. [*Col. Entry Bk., No. LXXVIII.*, 92.]

April 5 to 1676, June 17. **512.** List of ships entertained by the Royal African Company since Christmas 1674, with date of "when clear of the coast," for what part of Guinea, where to discharge, the number of negroes, and the number of "negroes delivered." Also "negroes ordered" from Xmas 1674 to Xmas 1675 for Barbadoes, Nevis, Jamaica, and Virginia, and since for all four plantations in the last five ships. Total, 7,025. 1 *p.* [*Col. Papers, Vol.* 34, *No.* 50.]

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April 6. St. James's. **513.** The Duke of York to Governor Major Andros. In answer to his letters of 20 Nov. and 4 and 17 Dec., thinks he has done well to discourage any motion for an assembly, as being not comprehended in his instructions, nor consistent with the form of government established, nor necessary for the redress of grievances, as such may be easily obtained by an address to the Governor at their yearly general assizes, where the same persons as justices are usually present who would, in all probability, be their representatives. Approves of his having bespoke a seal and mace for the city of New York, the charge whereof will be allowed him upon account. There appears no present remedy for the want of money for ordinary commerce complained of, unless he should be at the charge of coining so many thousand pounds, as it is not convenient for him at present to lay out, and if money were coined, unless of a lower rate than that of their neighbours (which would impoverish the country), it would now be carried away; some merchants have a project to send 10,000*l.* in money, provided it be taken of only in beaver in specie at such values as may compensate their hazard; it is but a notion as yet, and unless he (Andros) proposes some way

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from thence how to effect the King, it will have but little life from hence. The bounds of Connecticut were settled by Commisioners in 1667, and, according to Delavall, are to be on the edge next them of the river Marrinac [Mamaroneck] northwards as far as they please, provided they leave that river when it inclines W., so as not to approach nearer than 20 miles to any part of Hudson's River; this was, he says, agreed by the Commissioners; tis, however, best to make accommodations of this kind temporary, so if possible to preserve the utmost limits that the Patent gives him a title to. Approves of his leaving salt wholly free, although it was intended that salt for common uses should pay 2 per cent., and salt for fishery (which he will do well to encourage) be free. Is satisfied with his proceedings, especially in reducing to obedience those three factious towns at the east end of Long Island; hopes that they may be soon so settled that the people may be without apprehensions of any injustice. Desires to have an estimate of the revenue. *Printed in New York Documents, III.*, 230–231. 2 *pp.* [*Col. Entry Bk., No.* 70, *p.* 18.]

April 7. St. Jago de la Vega. **514.** P. Beckford to Secretary Sir Jos. Williamson, per the Swiftsure, Capt. Lowder. My Lord (Vaughan) has made Sir Thos. Modyford Chief Justice of the island; most of the Assembly men are made choice of, but not all. There seems to be some misunderstanding between the Governor and Sir Thos. Lynch about Gallop's prize of negroes. Represents the case as well and as plainly as he can. 1 *p.* [*Col. Papers, Vol.* 34, *No.* 51.]

April 8. Whitehall. **515.** Warrant to the Attorney General. To prepare a Bill for the King's signature containing a Grant to Charles Modyford of the office of Surveyor General of Jamaica, void by the death of the late Surveyor [*blank*], who is to keep registers and books of entry of all surveys to the end search may be made, or copies taken by those any ways concerned on payment of the fees allowed by the Assembly *(see ante, No.* 497]. 1 *p.* [*Col. Entry Bk., Vol.* 110, *p.* 64.]

April 8. **516.** Sir L. Jenkins to [Sir R. Southwell]. Conceives that those ensigns of occupancy he writes of ought to be reputed sufficient to continue a possession that we have held so long without disturbance, yet if the French should put themselves into possession in our absence they would not want matter of chicane that would not only be specious but hard enough to be well answered in this case, for there being no written law or common superior to give the rule between them and us, the strength of our plea must be from the law (that is, the general usage) of nations which is so uncertain and so unconcluding (where men are not ingenuous but lie at catch) that we cannot expect it shall be now yielded to as it would have been when men governed themselves by the rules of primitive honesty and simplicity. It will avail us but little (when we are at the worst end of the staff) to say that my possession by the Imperial, or else by this or that municipal law, is continued firm and good to me by the mere *animus retinendi*, or by such or such a little mark, and that he who hath thrust himself into a

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place I so held hath no legal possession, for it will be answered that the very introducing of such diversified fictions of law in our seizins and disseizins (for instance) in England, France, &c., implies that the general law of nations knows not, takes no notice of any other than my actual corporeal gross occupancy of a place with its dependencies. I can no more think our retreat in this case to be a desertion than the coming down of the people in some parts of Italy to the valleys in certain seasons is a deserting of those mountains they return to when they see it convenient. If our people are to be called away I would, under correction, offer, 1st, that his Majesty would by his declaration do it showing the reasons of his so doing, with an express caution that he means not thereby to depart from his own *jus imperii* there, nor from any of the rights or properties acquired to his people; 2ndly, that the chiefs there, at their coming away, should make some act (in the best manner they can) in writing that they withdraw thence in obedience to his Majesty, and that they leave such and such stores and necessaries behind them out of an intention to return and use them at the season, and with a special protest that they so leave them upon the place to preserve his Majesty's rights and dominion, which I take to be distinct from and superior to their several properties; 3rdly, that copies of these orders and acts be sent to the French fort there to the employers and settlers out at Rochelle, &c., to our Ambassador at the French Court to be notified as a matter of state. *Endorsed,* " 8 April 1675; Rec. ditto." 3 *pp.* [*Col. Papers, Vol.* 34, *No.* 52.]

April 8. Whitehall. **517.** Minutes of the Committee of Trade and Plantations. Newfoundland. Several merchants attended according to the last Order, who, after discussing the points sent to them, concluded that the present rules approved would be sufficient; that the French did not outdo us in any material thing, but on the whole left the advantage to us; that they knew not what encouragements to offer for inviting off the planters, none of whom had property where they lived, and only a licence to live there so as they kept 6 miles from the shore. They were unwilling to advise their being forced away, though nothing could cure the mischief but their removal, but proposed that, seeing all their victuals and subsistence comes from New England, a frigate should be appointed to seize such New England ships. This expedient not much approved by the Lords, who proposed to report to his Majesty that the convoy have instructions to declare his Majesty's pleasure to the planters that they remove 6 miles from the shore, for that they destroy the woods and stages, debauch the mariners to stay there, leaving the parishes at home clogged with their families, and by selling wines and brandy draw men from their labours. That the convoy may give help to those that would come home, tell others that would go to other Plantations that the Governors are ordered to receive them kindly; and let those who are obstinate, and persist contrary to the Charter, know that they shall be forced home hereafter. Mr. Pepys to send a draft of the usual instructions to convoys going to Newfoundland. Desire of the merchants that the New Charter

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when passed may be printed, as also a proclamation to issue to give life to all this regulation. Ordered, on reading a letter of the 21st March from the Mayor of Southampton, that the Governors of Jersey and Guernsey take great care what passports they grant, and send a list thereof, some French sheltering themselves here during their war with Spain. 1½ *pp.* [*Col. Entry Bk., No. CIV.*, 17–18.]

April 8. Tarr Bay (Torbay). **518.** Edward Cranfield to Sir Robt. Southwell. Sailed on the 6th, as soon as Mr. Orton arrived at the Downs, but on the 8th were forced to cast anchor here. The ships are in good condition, and will make the best of their way as soon as wind and weather will permit. ½ *p.* [*Col. Papers, Vol.* 34, *No.* 53.]

April 8. **519.** Copy of preceding. [*Col. Entry Bk., No. LXXVIII.*, 93.]

April 10. Jamaica. **520.** Deposition of Jno. Darbey, aged 22 years, sworn before the Admiralty Commissioners at Jamaica. In April 1674 Deponent and six more English were taken in a sloop sailing from St. Thomas's Isle for Antigua by a Dutch man-of-war, and put ashore at the Havana, where the Governor caused them all to be put in irons for five weeks, and then put them to work upon the fortifications for three months in miserable slavery. They were then put aboard a ship called the Sta. Christ, but were taken five leagues off San Domingo by a French man-of-war and brought to Jamaica. While Deponent was in the Havana, eight English were brought in that had been taken aboard a New England bark off Port Royal, that had no lading but provisions; and they, endeavouring to get clear, marched along the seaside to see if they could meet with any English or French vessels; but the Governor sent a party of soldiers after them, who murdered them all except the master, Jno. Collison, whose head was cut off and set on a pole before the Governor's door, where Deponent saw it standing three weeks. And further, while Deponent was at work on the wall by the harbour, he saw Don Philip Fitz-Gerald, Commander of a Spanish man-of-war of 12 guns, come into the harbour with a New England bark as prize, whose lading was only provisions, liquors, and money; and he had five English tied ready to hang, two at the main-yard arms, two at the fore-yard arms, and one at the mizen peak, and when he came near the More Castle he caused them to be turned off, and they hanged till they were dead, and Fitz-Gerald and his company shot at them from the deck of the frigate. And a few days after Fitz-Gerald would have had Deponent and several more English sail with him, and showed them his commission to take all English and French vessels, and they refusing he stabbed one of them dead with his "spadu" (?). Sworn before R. Wilson [Rgistrar], 10th April; and afterwards, by order from Lord Vaughan, before Sir Henry Morgan and two other Commissioners of the Admiralty, in the presence of several Spaniards, who were brought in by a French man-of-war, and who confessed that the major part was true to their knowledge. 1½ *pp.* [*Col. Papers, Vol.* 34, *No.* 54.]

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April 13. Port Royal, Jamaica. **521.** Lieut.-Gov. Sir Henry Morgan to Sec. Williamson. On 8th Jan. last weighed anchor in the Downs in order to sail in company with his Excellency but their anchor was so fast in the ground, his Excellency in the frigate was got about the Foreland, and they could not see him afterwards. Account of his voyage. Met Sir Roger Strickland's fleet the 10th, and on 25th Feb. ran ashore on the reef off the Isle of Vache, where they had all perished had Morgan not known where he was. The 14th of March Lord Vaughan arrived in the Foresight frigate, and was received with all the respect imaginable, the forts firing many guns, and entertained at the King's house at a splendid supper. His Commission read, 15th, by Peter Beckford, Secretary of the island, and he was nobly entertained by the Commander of the forts; next day he went to St. Jago de la Vega, attended by most of the gentry in their coaches, and was treated at a most splendid dinner by Sir Thos. Modyford. The following day his Commission was read there, his Majesty's Council assembled, and an account of the Revenue demanded of Sir Thos. Lynch, which was found very short, and likewise his Majesty's stores so exhausted, that there was found in all the stores but 14 barrels of powder, which on occasion would not last three hours. Nevertheless that shall not daunt him, for before he will lose his Majesty's fortifications, he will lose himself and a great many brave men more, that will stand and fall by him in his Majesty's service; though they grumble much that their powder has been sold to the Spaniards by the late Governor. His Excellency next convened an assembly for the 26th inst., which gives general satisfaction. The face of all things is most changed, and things go but indifferently between the General and Sir Thos. Lynch; nor can any one blame the General, for there is the greatest cheat in the world intended to be put on the King about Capt. Gallop's negro prize, which was condemned to the King, but there has been no return to his Majesty though above 7,000*l.* received; and the General demanding the reason, Sir Thos. answered that he kept it for Capt. Gallop; but if Gallop had come he would have answered that it was condemned to the King. To keep people in the dark there was no register kept of the fees of the condemnation, and contrary to all custom she was condemned when without command. 7 *pp.* [*Col. Papers, Vol.* 34, *No.* 55.]

April 13–16. **522.** Minutes of the Assembly of Barbadoes. The Speaker, with Wm. Sharp and Col. Richard Guy, desired again to move his Excellency and Council that they may have full satisfaction for the scandalous reflections on them by Edwyn Stede, in his Petition and Statement to his Majesty, before they proceed to any business. Motion of the Speaker to his Excellency and Council accordingly, and reply of Edwyn Stede that he would presently send his answer in writing. Petition to his Majesty and paper of grievances annexed, drawn up by his Excellency, touching the farmers of the 4½ per cent., weighing their sugars, a trade with Scotland, and the injuries done by the Royal African Company, considered and re-

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ferred to Wm. Sharpe and Edw. Littleton for some amendment against to-morrow.

April 14. Voted, that a Bill pass as now read for continuing the excise on liquors as it now is; that the goods so raised be disposed of by the Governor, Council, and Assembly, the Council and Assembly bearing their own charges, except only payment of the Assembly's officers; and that Lt.-Col. Wm. Bate be Treasurer and John Hallett Comptroller. Ordered, on Petition of Richard Moseley, merchant, in commiseration of his great loss by the wreck of a ship of wines from Madeira, that the excise on 16 pipes of wine be remitted. Answer of Edwyn Stede, Provost Marshal, to the charge laid against him by the Assembly, sent by his Excellency, as follows:— 13th April. In obedience to his Excellency's order in Council, 25th March last, craves leave to give a short state of his case. He never gave his friends in England any directions for the manner of their proceedings to obtain what he conceives in justice belongs to him; all or most of what he wrote being barely matter of record and matter of fact, without any observations, inferences, or reflections on any person. Then follows the substance of what he wrote, to the same effect as his "State of the Case" (*see ante*, *No.* 485), which being read and the Assembly not finding satisfaction, the following request was presented to his Excellency by the Speaker: That they find not the least satisfaction from Edwyn Stede's answer, but are confirmed thereby that his Petition and case presented to his Majesty was by his direction, who though he denies to have drawn it, yet does not acknowledge that it is filled with the most malicious designs and scandalous lies and reflections upon the Assembly; and not being able to bear reproaches drawing in question their loyalty and affection to his Majesty, nor satisfied that a man should be countenanced in any office amongst them, who, to accomplish his private ends, boldly offers at the ruin of the Island by traducing the inhabitants and drawing them into his Majesty's displeasure, the Assembly pray that Edwyn Stede may be suspended and removed from all public offices and trust in this Island, lest his continuance should administer occasion to his Majesty to believe them guilty as he has rendered them; and further pray that good security be given for the safe keeping of their records by whomsoever his Excellency shall intrust them with.

April 15. Voted, that Petition of the Council and Assembly to his Majesty, with their grievances annexed, and Petition to his Excellency for assistance in the same, be presented as they are. An Act for the settlement of the Militia ordered to lie under consideration. An Act passed for settling 6 acres and 30 perches of land and 2 negroes in the representatives of the Parish of Christ Church for maintaining 5 poor people, by the gift of Philip Trowell. An Act for reviving the authority of Commissioners for settling Public Accounts, sent by his Excellency and Council, passed. Ordered, that Petition of Rachel Yeamons for abatement of excise on liquors and composition for brandy, be granted. Order sent from the Council for providing a ton of refined sugar to be presented to Sir Wm. Poole, knt., Commander of H.M.S. St. David, before his departure;

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and An Act for regulating the gauge of Sugar Cask, passed. Received from his Excellency and Council a paper containing Mr. Stede's further vindication, together with a paper signed by his Excellency and part of the Council, as follow: Mr. Stede added to his paper of yesterday, that the foregoing he owns to be the true narrative of what he wrote home, and what is more than that set forth in the Petition and state of the Case presented to his Majesty, he absolutely disowns as done without his knowledge, and conceives that the same and other misrecitals or misreports therein were wholly done by the misapprehension of the person who drew the same. His Excellency and Council having considered the Assembly's paper and what Edwyn Stede has presented in manifestation of his own integrity, declare that in their judgment he is no way guilty of any accusation or injurious language against the Assembly, and they suppose the Assembly will remain well satisfied therein; and it is further ordered that care be taken to vindicate the Assembly in the account to be rendered to his Majesty of that affair. Adjourned till Tuesday eleven weeks, but altered to the morrow at his Excellency's desire, in order to prepare letter to the Gentlemen Planters in England desiring their assistance in prosecuting the Petition of the Council and Assembly to his Majesty for removal of their grievances.

April 16. Petition of the Council and Assembly to his Majesty, with their grievances annexed, together with their Petition to his Excellency for his assistance, viz.: That the full sense they have of the hasty approach of their own ruin and of the decay of his Majesty's dominion in these parts, through oppressions unknown to his Majesty and contrary to his intentions, and persuaded that their greatest difficulty lies in bringing the matter to his Majesty's knowledge, pray his Excellency to countenance and direct their Addresses and assist them with his interest. Ordered, that the Treasurer cause 12 butts of sugar to be shipped to the Gentlemen Planters in England for defraying the expense of prosecuting their Addresses to his Majesty. Letter from the Council and Assembly to the Gentlemen Planters in England read and passed, as follows: Excuse themselves for not answering their letters hitherto, and return hearty thanks for their diligence in their affairs. Their former Addresses have not had the good effect hoped for, but encouraged by the zeal of their excellent Governor to promote their interests to make further address to his Majesty, have sent the enclosed, entreating them to carry it on with vigour, appointing Col. Thornburgh or what other person they think fit to solicit the business under them. Have sent 12 butts of sugar for defraying the expense, and if the exigency of affairs require an advance will speedily reimburse it. Ordered, that the Treasurer inspect the account of Paul Gwynn for accommodation of the Assembly four days at this sitting, and pay what shall appear out of the excise on liquors. Adjourned till Tuesday come eleven weeks. 19½ *pp.* [*Col. Entry Bk., No. XIII.*, 164–183.]

April 15. **523.** Minute of the Council of Barbadoes. An Act for gauging cask, and several other papers about the affairs of the Island,

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presented by the Assembly to be sent home. ½ *p.* [*Col. Entry Bk., No. XI.*, 288.]

April 15-16. **524.** Minutes of the Committee of Trade and Plantations:

April 15, Newfoundland.—A long report presented by Sir R. Southwell, of the matter of Newfoundland, comprehending much of the debate, that neither the Council nor merchants might be imposed on by new application when things are supposed to be forgot, read, and ordered to be writ fair, with some alterations, and points given in charge to the convoy touching the French.

April 16.—The whole report read and approved, and ordered to be forthwith presented to his Majesty in Council.

Mem.—That of 14 orders sent down to the Western Ports there were answers only from Weymouth and Melcomb, Plymouth, and Barnstaple. The petition of Mr. Mason about his pretensions in New England to be considered on Thursday. 1 *p.* [*Col. Entry Bk., No. CIV.*, 19-20.]

April 16. Port Royal. **525.** Joseph Knapman to Mr. Alderman. Doubts not he has had an account of the unfortunate loss of the Jamaica merchant on the 25th February on the east side of the Isle of Ash on the south side of Hispaniola, within 24 hours sail of this port. Knows not what evil genius led him there, and never was any man more surprised considering the course they steered. Saved all the people, and 5 or 6 days after, one, Capt. Tho. Rogers, a Jamaica privateer now sailing under the French, carried Sir Henry Morgan and all the passengers for Jamaica, but he and his men stayed behind to save, if possible, his Majesty's stores and the ship's furniture, and he was obliged to offer them one-third of what they could save, or could get them to do nothing. Were a month ere they got to Port Royal, in which time they saved a great part of his Majesty's stores, and some of the ships, for which he will be accountable. With difficulty saved Mr. Alderman and his son's gold, for he was forced to swim with it on his back. Left a small sloop to keep possession of the ship for the King, and Lord Vaughan has since sent up two great sloops to save what may be saved. Soon after his arrival Sir Thos. Smith and Capt. Moulsworth gave him command of this ship, the St. Thomas, for the voyage home, and intend to come home in her. Sees no likelihood of laying out Mr. Alderman's money to any advantage, for Mr. Webber arrived on the 8th, by whom he sends positive orders not to exceed 9*d.* per lb. for pimento, and can get none for that price; sugar is 18*s.*, 19*s.*, and 20*s.* per cwt., and indigo 2*s.* 6*d.* per lb., so knows not how to lay out his money. Desires him to advise the gentlemen concerned of their ill success, for he hates to write to everybody of so evil a subject. Gives a list of his Majesty's stores saved, including 8 barrels of powder, 458 hand grenades, 301 snaphance muskets, 480 carbines, 2,667 long pikes, 186 snaphance dragoons, 10,000 cut flints, 805 "cartooth" and "cardose" boxes, 78 pistols, 544 culverin shot, 323 demi-cannon shot, 2 petards. 2 *pp.* [*Col. Papers, Vol.* 34, *No.* 56.]

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April $\frac{20}{30}$. Barbadoes.

526. Governor Sir Jonathan Atkins to Secretary Sir Joseph Williamson at Whitehall. Received his of 30th January, and one from the King on Lord Sunderland's business, to whom he wrote. The unfortunate killing of Mr. Bridges happened before his arrival. Trials for life are here but once a year at the General Sessions. Has appointed same to be 7 weeks hence, but according to the custom of the island there is no seizure till conviction. The fact was committed by a younger brother of Sir Peter Colleton, who escaped out of the island, and there were in his company Mr. Kendall, a man of good estate, one Mayo of no fortune, and one Archer that keeps an ale house, and from the evidence it may be concluded that Mr. Colleton killed him, the constable was to blame, and that from a former pique to Mr. Mayo he took occasion to affront the gentlemen as they were going home to their lodgings. What construction a jury will make of it is next to be noticed, but, as the law admits, will establish his Lordship's business to his best advantage. At the last meeting of the Assembly they presented petition with an address to the King importing some grievances and desiring his assistance, which he could not refuse seeing the evil consequences portended. The first grievance is the collecting of the 4½ per cent., the farmers having procured a letter from the King to weigh all casks, which is so much to the hindrance of the people that he had much to do to keep them in order, but has prevailed with them to make an Act for a gauge of all sugar casks, with penalty of confiscation of all goods put into greater casks, without acquainting the officer for the duty. The gentlemen they employ in England will wait on him with the papers, and reasons of the petition; but in brief the Act of Navigation lies so heavy on all these plantations that they will lose all commerce from New England and Ireland, from whence they have all their provisions; for if they bring but a piece of frieze or anything of their own manufacture, not being first had to England, it is forfeiture of ship and goods, when the bare bringing of provisions so long a voyage cannot answer the charge. The merchants of England not being able as formerly to make 50 or 60 per cent. on sugar, find it scarce worth their hazard, and the want of shipping therby has raised the freight to 9*l.* per ton, yet can they not get shipping to carry off one-half of their effects this year. Is confident the restraining of trade to one place only must in time dissolve all the plantations, and the contrary advance the King's Customs 10,000*l.* a year, without prejudice to the Act of Trade. 2 *pp.* [*Col. Papers, Vol.* 34, *No.* 57.]

April 21. Aboard the America.

527. Edward Cranfield to Sir Robt. Southwell. Sailed from Torr Bay 12th inst., and are now in lat. 39 and 45, where meeting ships bound for the Channel, thought it his duty to give account. Hopes the wind will in a few days carry them to Madeira. 1½ *pp.* [*Col. Papers, Vol.* 34, *No.* 58; *also Col. Entry Bk., No. LXXVIII.*, 93.]

22 April.

528. Preamble (of the Committee for Trade and Plantations.) The Lord Keeper having on 12 March acquainted the Board by his

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Majesty's command that his Majesty, having dissolved the late Council of Trade and Foreign Plantations, had committed what was under their inspection and management to the Committee of the Board appointed for matters relating to trade and foreign plantations, their Lordships met on 22 April, and being attended by Sir Robt. Southwell were acquainted that on 13 January two petitions from Robt. Mason and Ferd. Gorges were presented to his Majesty in Council, which were referred to the Committee. *Annexed,*

528. I. Order of the King in Council referring the two petitions above mentioned to said Committee for their report. Whitehall, 12 March 1675.

528. II. Petition of Robert Mason to the King and Privy Council praying relief for the province of New Hampshire against Massachusetts. Calendared, *ante* No. 413, 13 Jan. 1675.

528. III. Petition of Ferdinando Gorges to the King and Privy Council for relief for the province of Maine against Massachusetts. Calendared, *ante* No. 412, 13 Jan. 1675.

528. IV. Report of Robert Mason and others on the two preceding petitions. Calendared in previous volume of Col. Cal. 1661–1668. p. 75, No. 230. 15 February 1662.

528. V. Mem.—Mr. Mason having opened many points by his discourse concerning New England the Lords of the Committee, order him at their next meeting to bring the statement of his case in writing. *See* No. 545, 1 May 1675. [*Col. Entry Bk, Vol. LX., pp.* 1–9.]

April 22. **529.** Minutes of the Committee for Plantations. Memorandum about the petitions of Mason and Gorges; Order in Council thereon 12 March; the meeting of the Committee on the 14th, when Sir Edward Walker and Mr. Slingsby were directed to peruse the books and papers of the late Council of Plantations, and thence to extract and prepare a scheme of the present state of New England, and what transactions had there touching that place. Mr. Povey, by order of the 27th, added to this sub-committee and a while after Sir R. Southwell. They met and examined the proceedings before the late Council of Plantations, and finding that all relating to the petitioners or the State of New England was comprised in two short reports of the Council, dated 12 Aug. 1671, the same were presented and read, upon which their Lordships not having that light or satisfaction which a matter of this importance required, ordered Mr. Mason to bring in afresh a statement of his case. 2 *pp.* [*Col. Entry Bk., No.* 104, *p.* 20.]

April 26. Whitehall. **530.** Warrant to Sir John Robinson, Lieutenant of the Tower. To suffer Col. Francis Lovelace, a prisoner in the Tower, for not having defended the Fort and Colony of New York, and now fallen very dangerously ill of a dropsy, to have his liberty, he giving security in 500*l.* to render himself again a prisoner when thereunto duly required. 1 *p.* [*Dom. Entry Bk., Chas. II., Vol.* 28, *p.* 130.]

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April 26. **531.** William Harris to Fleetwood Shephard at his lodging in Privy Garden. Thanks him for his kindness to himself, a stranger; statement of his wrongs and reasons. Has suffered great and long wrong, and can find no effectual remedy in New England, for though he has had a vindication of his and his partner's right both by arbitration and law he cannot get execution of the judgment owing to the confederation of the forcible enterers openly resisting by force of arms. His adversaries pretend that they will resist till they have had a trial, as the King's Commissioners promised when they should come back from the Eastward of New England, who came not all back and are now dead, so that he is forced in the evening of age to come three thousand miles to get a remedy and to be troublesome to the King and his own friends which is not his wont. It may be thought strange to enter on other men's lands, but it is stranger to enter as one Norton did. Has papers to prove these things, otherwise how would be run such jeopardy, to come so far by sea to take such pains and undergo such charge and trouble his friends as well, than which nothing is more contrary to his disposition, nor does he ever go to law for five or ten pounds, nor ever was arrested but for supposed high treason against Oliver Cromwell, until of late falsely indicted by his adversaries, nor did he ever arrest any man, but first offered arbitration. Asks as a proof that he is not contentious, that, if the King grant his petition, it be of no force till a jury has tried the issue whether it be or be not true that he has had a verdict and judgment and the execution resisted and two awards of arbitrators; if it be proved true the commission to be in force but not otherwise. In answer to the objection that the King's order would not be observed in New England owing to the Massachusetts' denial of the King's Commissioners, begs him to take notice that three of the four colonies, New Plymouth, Connecticut, and Rhode Island received the Commissioners in weighty things as to the bounds of their charters, that they of Boston offered to show their proceedings, as to one Porter, to the Commissioners, and that they received and executed some of the King's writs, so that it seems reasonable to believe that the three colonies and Boston will at the King's command do justice. Moreover, it is certain that John Winthrop, Governor of Connecticut, Josiah Winslow, Governor of new Plymouth, and William Codington, Governor of Rhode Island, will receive and execute the King's commission for their own safety and praise and reward of well-doing. Thus will the King's command be easily obeyed and his authority more immediately innured, and a way to his after orders prepared and peace and his interest maintained without the least charge to him and to his subjects' safety. There is no rational ground, by any patent granted to any in New England, to be excused from answering to the King's writs, no more than other Corporations in England which are all under the King's immediate writ to answer according to laws, otherwise the King's subjects there may be oppressed, for they are allowed the privileges of free and natural-born subjects of the Kings in England, and, if denied, the King's laws and writs and benefits thereof; and resisting the King's writs and laws seems contrary to the patents and the laws of England,

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which authority is not granted to any people in New England, and for a corporation to make any laws of death seems contrary to the laws of England, III. Car. I. 1. It cannot be imagined that the King hath given some of his subjects to other subjects of other corporations, who may not make any laws in imminution of the King's prerogative, 17 H. VII. 7, nor forbid suits in the King's courts, 19 H. VII. 7. Knows many leading men in New England, discreet and honest—the Governor of Connecticut, Winthrop, a prudent moderate man, and the Deputy Governor, Leet, some of the assistants, Tollcot, Willes, Allen, Richards, wise men, devout for their churches; the Governor of New Plymouth, Winslow, a very moderate wise man, their oldest assistant Alden instead of a Deputy Governor, others Hinkley, Bradford, Freeman, Browne, Cudworth, pretty moderate most of them; the Governor of Massachusetts, Leveret, their deputy, Simons, assistants Damport (Danforth), Hathorne, Broadstreet, Denison, Gooking Stoton, Clark, very devout men for their churches; the Governor of Rhode Island, Codington, the deputy Easton, assistants Bull, Gould, Clark, Coggeshall, Trip, Harris, Allmy, Barton, some of them called Quakers, some called Generals. Each colony has a body of laws; the Rhode Island laws are most in conformity to the laws of England and the most toleration there; next most sufferance is at New Plymouth where are Quakers and Baptists, but some Quakers and Baptists at Massachusetts, but fewest at Connecticut, where they persecuted them least, except at Rhode Island. Trade of the country to Barbadoes, Nevis, and other places; country healthy and well replenished with people and cattle, and so many horses that men know not what to do with them, nothing so wanting as thanks to God and answerable conversation thereto. Begs him to let no one who will tell his adversaries know his thoughts about the king's authority, lest he should be a long sufferer, for one Wharton, a merchant of Boston, for informing the King of what the Dutch did on the coast and how he conceived it might be remedied, was taken as no friend to New England and his letters stopped. 3 *pp., with seal, a heart with the letter H, and the motto "Uprighte."* [*Col. Papers, Vol.* 34, *No.* 59.]

532. William Harris to Sir Joseph Williamson. Prays pardon for wearying him, and offers a few words in reply to his objection that the King gives commissions to preserve his peace, but not later commissions as to titles of lands, &c. Answers that the suppressing of forcible entries, &c., lies in the commissions of the peace, that the patents in New England give power to the Justices to hear and determine as to titles of land, that writs to remove suits to higher courts for more impartial judgment are tried by another commission, that persons supposed to commit a force on the offer to traverse their title to possession are not to be removed but admitted to try it before the said Justices of the Peace, that the omission and execution of the law is the defeat of the exercise of the power given by patent, of the peace and of their possession; they wear their title by the law of the Colony forced to prove before the forcible entry there could be tried and they had a verdict, judgment, and

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execution resisted and the force never yet tried though complained. Leaves to the providence of God, the King, and pleasure, &c., whether a later commission with power in these cases is not needful. Prays that an order may be granted requiring or commanding and empowering three, if the fourth should sail, lest at the worst all should sail and justice be defeated. 1 *p.* [*Col. Papers, Vol.* 34, *No.* 60.]

533. W. Harris to Sec. Williamson. Reminds him the Governors of Connecticut, Massachusetts, New Plymouth, and Rhode Island, are 50 or 60 miles distant from each other, and it will be long before they agree on the best way to proceed. Suggests that some direction should be given by the King to them or one of them; prays him to an effectual performance of the matter. 1 *p. Probably a postscript to preceding letter.* [*Col. Papers, Vol.* 34, *No.* 61.]

534. Draft Commission in the handwriting of William Harris. Authorising the formation of a Court to try the questions at issue between himself and his opponents. The four Governors of Massachusetts, Connecticut, New Plymouth, and Rhode Island, are each to appoint one Judge, and from the three former Colonies 48 men are to be chosen, from whom 12 jurymen are to be selected. The decision to be final, the costs of the Court to be borne by the losing parties. *Endorsed by Williamson,* "1675. New England. Mr. Harris his case." 7 *pp.* [*Col. Papers, Vol.* 34, *No.* 62.]

April 26. Jamaica. **535.** List of Members chosen by the different parishes for the Assembly convened for 26th April 1675. *See* following Abstract. 2 *pp.* [*Col. Papers, Vol.* 34, *No.* 63.]

April 26—May 1. St. Jago. **536.** Minutes of the Council of Jamaica. The Provost Marshal brought in the Returns of the several elections as follows:—St. Thomas', Edward Stanton and Clement Richardson; St. David's, Wm. Beeston and Wm. Rives; St. Andrew's, Sam. Barry and Richard Braine; Port Royal, Sam. Bache, Authony Swimmer and Benjamin Whitcombe; St. Katherine's, Samuel Long, Samuel Bernard, and Peter Beckford; St. Dorothy's, John Colebeck and William Shute; St. Thomas-in-the-Vale, William Knolles and Fulke Rose; Clarendon, Gifford Pennant and William Bent; Vere, John Bourden and Robert Varney; St. Elizabeth's, Robert Bridgewood and Jonathan Ashurst; St. George's, William Nedham and William Brewer; St. Mary's, George Nedham and Joachim Haynes; St. Ann's, Benj. Smith and Thomas Helyer; St. James', Richard Guy and Sam. Jenks; St. John's, Wm. Bragg and Francis Price. Sam. Long presented by the Assembly for their Speaker, of which his Excellency approved, and in a speech declared the reasons of their meeting. Tho. Freeman and Robt. Byndloss sent to administer the Oaths of Allegiance to the Assembly. The thanks of the Assembly presented by Wm. Beeston and three others to his Excellency for the great satisfaction he had given them in his speech.

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April 27. No business offered from the Assembly, the Council adjourned till,—

April 28. The Oath of Allegiance administered to Richard Guy, one of the representatives of St. James' Parish. Wm. Rives and Sam. Bernard brought up the Acts for ascertaining the number of Assembly men for the Revenue, for maintaining of the Ministry, and for repairing the Highways, with divers amendments and observations, and desired Sir Thos. Lynch's account of the public money which his Excellency promised to send them. The Act ascertaining the number of Assembly men read; for maintenance of the Ministry, read and approved with Amendments; for the Revenue, read with Amendments and referred to further debate.

April 29. Sir Thos. Modyford's accounts delivered to the Assembly to be examined with Sir Thos. Lynch's. Six Acts presented by the Assembly, to whom were returned the Acts for Assembly men, maintenance of the Ministry and Highways, approved with Amendments. The Act for establishing the Supreme Court, approved with Amendments; for Fees, with Amendment, approved with a Clause to be added; for Justices, read and Amendments proposed; all which were sent to the Assembly with the Council's observations.

April 30. The amendments and additions in the Act of Militia consented to, except one clause concerning the Captain of the Troop of his Excellency's guards, which is to stand; pikes and lances to be left to the discretion of the officers; other small amendments proposed, and this clause to be inserted,—That for the particular encouragement of his Excellency's troop of Guards, all who shall enlist therein shall be excused from serving as constables, and that no foot officer in the precincts of St. Katherine, St. Dorothy, and St. Thomas-in-the-Vale, enlist any out of their proper division. This clause likewise to be inserted at the end, that nothing in this Act be construed to abridge his Excellency's power to act as Captain-General and Governor-in-Chief according to the powers and commands given him by his Majesty's Commission. The Act for Negro Slaves read, and Amendments approved. The Act for servants read and Amendments approved, with proviso that the penalty shall not run against masters who have once supplied themselves, if by death or accident their servants are lost, but that 12 months more be allowed them.

May 1. The Act of the Revenue read, and the first Amendment approved, remarks upon other Amendments, the Captain General's salary to be 2,000*l.* per annum, "residing usually at St. Jago," his residence at Port Royal to be omitted; other Salaries in the order named to be paid by the Governor's Warrant to the Treasurer. The Act of Naturalization read with Amendment. [*Col. Entry Bk., No. XXXV.*, 399–410.]

April 26 to May 15. St. Jago de la Vega. **537.** Minutes of the Assembly of Jamaica. List of the Members elected (*see preceding*). Capt. Sam. Long chosen Speaker. The Oath of Allegiance administered to all except Capt. Richard Guy who was absent, and Thos. Helyer who refused to take it according to the form prescribed. Rules approved as much conducing to the regular proceeding in their business; 17 to make

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a quorum; every Act before it pass to be read at three different sessions; in all votes the major part to carry it, wherein the Speaker is to have his voice; no man to speak but twice at one Session to the same Debate, the Speaker and Assembly to imprison or fine such of their Members as are disobedient, drunken, or profane. Five Members to join with those of the Council appointed for the inspection and returning of Writs. Four Members to return his Lordship thanks for his gracious speech and free grant of their privileges.

April 27. Capt. Knapman's business not to be tried again. The House resolved into a Grand Committee to consider about raising money for a present to his Excellency, and 1,500*l.* voted for that purpose, whereof 500*l.* to be employed in buying the house his Excellency lives in for the Governor's use for ever; 1,600*l.*, whereof 100*l.* to be allowed to the constables for levying, to be levied of the lands and personal estates of the inhabitants, yet so as they exceed not one-half thereof in the levy off the lands, viz.: from the Parish of Port Royal 350*l.*, St. Andrew's 250*l.*, St. David's 80*l.*, St. Thomas's 200*l.*, St. George's 10*l.*, St. Ann's 30*l.*, St. James's 20*l.*, St. Elizabeth's 110*l.*, Vere 80*l.*, Clarendon 160*l.*, St. Katherine's, St. Dorothy's, and St. Thomas's-in-the-Vale 150*l.*, St. John's 130*l.*, and St. Mary's 30*l.* Ordered, that Thos. Helyer refusing to take the customary Oath of Allegiance, be not allowed to sit, and that his Lordship be moved to issue a new Writ. Ordered, that the Marshal give Capt. Richard Guy notice that having been chosen for St. James's Parish, he must give his attendance notwithstanding he is not a freeholder in said Parish. Several Acts considered with amendments and sent to his Excellency in Council, with a request for an account of the revenue.

April 28. Amendments to several Acts of the last Assembly. Answer of his Excellency, that he would send account of the revenue. Capt. Richard Guy sent to the Governor and Council to take the Oath of Allegiance, and admitted to sit in the House.

April 29. Several Acts read and passed with Amendments. Sir Thos. Lynch's accounts sent by his Excellency, and also Sir Thos. Modyford's at the request of the Assembly. Committee appointed to consider these accounts and to report on Saturday next (1st May). Several Acts sent back by his Excellency with Amendments.

April 30. Acts read and passed, some with Amendments.

May 1. Leave to Col. Brewer to go home, on information of the disorder his affairs were in by reason of the running away of his negroes. Two Acts read. Report of the Committee for examining Sir Thos. Modyford and Sir Thos. Lynch's accounts, that they were satisfied Sir Thos. Modyford had received his discharge from the King's Exchequer. The Committee called attention to 144*l.* 12*s.* 2*d.* in Sir Thos. Lynch's accounts, finding nothing else to be objected against. Voted, that Sir Thos. Lynch's accounts be viewed.

May 3. Act for taking out Patents and collecting Quit Rents, read and passed. Voted, that certain sums in Sir T. Modyford's accounts objected to by the Assembly, amounting to 4,047*l.* 5*s.* 10*d.*, be sent to his Excellency and Council, that order be taken that they be not brought against the country hereafter.

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May 4. Voted, that the sum of 144*l.* 12*s.* 2*d.* in Sir Thos. Lynch's accounts for repairing the King's House at Port Royal be allowed. The Act of Naturalization read and amended. Sundry votes and queries upon Sir Thos. Lynch's accounts. Voted upon the Act of Revenue, that the 1,500*l.* annexed to Government be first paid after contingencies; the Captain-General usually to reside at St. Jago and the Lieutenant-General at Port Royal; the Captain-General to have 2,000*l.* per annum and the Lieutenant-General 600*l.*, to be paid proportionably; his Lordship to have any surplusage, the salaries and contingencies being paid; Sir Henry Morgan, for his good service to the country, to have 600*l.* during his Lieutenant Governorship, but none of his successors. Several Acts read and passed, some with Amendments.

May 5, 6. Several Acts read and passed, with Amendments.

May 7. Voted, on petition of the Freeholders, that the Magatee be annexed to the Parish of St. Thomas-in-the-Vale, but continue to pay all Parish duties, reparation of highways excepted, to St. John's until a Minister be settled and a church built in St. Thomas-in-the-Vale. Several Acts read and passed. Petition of Wm. Gibbon, merchant, that the estate of Dan. Jordan, deceased, be sold for satisfaction of his debts, because Petitioner and Jordan are joint administrators of the estate of Thomas Scutt, deceased, and indebted thereto. Three members appointed to examine into the matters alleged in said petition. Several Acts read and passed.

May 8. Several Acts read and passed. Petition of John Styles, of the Magatee, planter, that his land be made a distinct Parish, under the name of Styles Langley, he having left it by will to Christ Church College, Oxford, from whence he expects it will be supplied with Preachers, and that it might continue in the Parish of St. John till Petitioner should have a church built and a parson settled there: refused, by reason there was no probability there would be a sufficient congregation to make a parish.

May 11, 12. Several Acts read and passed, with Amendments. On report of the Committee that Jordan's estate was indebted to the estate of Thomas Scutt as alleged in Gibbon's Petition, Capt. Nedham ordered to draw up an Act for the sale of Jordan's estate; but it was thrown out, as unreasonable for the Assembly to be concerned where the law itself gives a remedy. Petition, sent down by his Excellency, praying H.R.H. the Duke of York to interpose with the Royal Company to furnish the Island with a plentiful supply of negroes, approved, and ordered to be entered in the journal, the Speaker to return his Excellency thanks for same.

May 13, 14. Several Acts read and passed, with Amendments.

May 15. The Act of Revenue read and passed, after a dispute with his Excellency whether his order should be the Treasurer's discharge for paying salaries. Ordered, that his Excellency be desired to sign the Acts in the Assembly according to the custom of this Island, to which he answered that it was not usual in England to do so, but that they bring in the Acts to the Council to be signed, the Assembly being afterwards called in; whereupon it was voted that the Speaker carry the Acts to the Council, but if his Ex-

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cellency refuse to sign them in presence of the Assembly, that he bring them back again. Adjourned for an hour. Report of Mr. Speaker that his Lordship would not pass the Acts in presence of the Assembly, it being altogether repugnant to the custom of the Parliament of England; whereupon he was returning with the Acts, when his Lordship commanded them from him, telling him that when an Act was consented to in Council and three times passed in the Assembly they were dispossessed thereof: and being pressed by the Speaker, how an Act beneficial to the Governor should be stopped till other Acts conducing to the advantage of the subject were passed, his Lordship replied that such Acts for the subject should be sent to him and assented to before the House passed the others, and that the Speaker might take away any Acts not passed the third time. The Assembly sent for by his Excellency. Adjourned for half-an-hour. 22 *pp.* [*Col. Entry Bk., No. XXXVII., fol.* 143–153*d.*]

April 26. **538.** Forty-five Acts, Laws, and Statutes made and ordained at St. Jago de la Vega in Jamaica, by Governor Lord Vaughan and by an Assembly which began the 26th April 1675, with Index, viz.:—(1.) An Act appointing the number of Assembly men. (2.) Declaring the laws of England in force in this Island. ("Repealed" in margin.) (3.) For preservation of cattle. (4.) Empowering the Churchwardens of St. Katherine's to receive twelve pence per ton for all goods made up in cask that are laden or shipped from the bridge at Passage Fort, for maintaining and repairing the same. (In margin, "The new law approved.") (5.) For the quieting all persons' estates against dormant titles. (6.) Requiring the enrolment of deeds for prevention of fraudulent conveyances. (7.) Empowering his Majesty's Justices of the Peace in this Island to decide all pleas and differences between party and party not exceeding the value of 40*s.* (8.) For the better maintenance of the Ministry. (In margin, "The new law for regulating parishes to stand.") (9.) For the good governing of servants, and ordering the rights between masters and servants. (In margin, "The new law of force.") (10.) Preventing seamen leaving their ships, and victuallers or sellers of strong liquors trusting of them. (11.) For the perpetual Anniversary Thanksgiving on the 10th day of May, for the happy success and conquest made and obtained in his most sacred Majesty's Island of Jamaica. (12.) For the better ordering and governing of negro slaves. (In margin, "New law of force.") (13.) For settling the Militia. (In margin, "New Act to stand.") (14.) For the regulating the fees of the several offices of this Island. (*With corrections*). (15.) For the better amending, repairing, and keeping clear the common highways and known broad paths within this Island, leading to church and market, and for laying out new highways and turning old highways where it shall be needful. (In margin, "New law to be in force.") (16.) For confirming Orders of Council. (*With corrections.*) (17.) Against excessive usury. (In margin, "This is comprehended in the new law for establishing the interest of money; the new law of force.") (18.) For repealing of a former Act, intituled "An Act for sup-

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pressing the multiplicity of law suits, and of divers other Acts made at the Session of the Assembly in the month of February 1673–74." (*With corrections.*) (19.) For foreign Attachments. (20.) To prevent fraud and deceit in the makers and sellers of rum. (*With corrections.*) (21.) For prevention of such damages as may happen by fire. (*With corrections.*) (22.) Encouraging of shipping to take in lading at Old Harbour, Port St. Thomas, or any other place round this his Majesty's Island. (*With corrections.*) (23.) For establishing the current price of money. (24.) Appointing Col. Thos. Modyford and Capt. Edmund Ducke to be Trustees, and fully enabled to make sale of the lands and plantations of Mr. Thos. Tothill, late of this Island, deceased, for the payment of debts and making provision for the relict and infant of the said deceased. (*With a correction.*) (25.) For rating meat sold by retail. (In margin, "The new law of force.") (26.) For compensation of the loss Mr. Nicholas Scarlett received by the pursuits of the rebellious negroes at Lygonee. (*With a correction.*) (27.) For encouragement to Mr. James Lassell for the sugar mill he lately contrived. (*With a correction.*) (28.) For recovering of such moneys as were subscribed to for building a half moon at Bonham's Court that are not paid. (In margin, "Paid and expired.") (29.) For regulating the freight of boats, wherries, and other vessels and their owners and employers. (In margin, "Laid aside.") (30.) For regulating the Marshal's proceedings in levying executions. (*With corrections.*) (31.) For the ordering and empowering the Secretary of the Island to take sufficient security of every master of ship or vessel and others that depart this Island; and of the duty of masters of ships and others that come to trade in this Island. (In margin, "The new law of force.") (32.) For the speedy remedying of all such nuisances as are or may hereafter be made upon the town of Port Royal, and to prevent the spreading of any fire that may happen therein. (In margin, "New law to stand.") (33.) For the speedy taking out of patents and the better adjusting and more speedy collecting the quit rents of this his Majesty's Island of Jamaica. (*With corrections.*) (34.) For regulating hunting. (*With corrections.*) (35.) For dividing his Majesty's Island of Jamaica into several parishes and precincts. (In margin, "New Act to stand.") (36.) Prohibiting the transportation of several commodities out of this Island, being in a growing condition. (*With corrections.*) (37.) For naturalization. (*With corrections.*) (38.) For the preventing the retailing of strong liquors by unlicensed persons. (*With corrections.*) (39.) Against tippling, cursing, and swearing. (In margin, "New Act to stand.") (40.) Declaring it to be felony without benefit of clergy to steal or carry away any boat, canoe, wherry, or other vessel from any part of this Island. (*With corrections.*) (41.) For regulating the proceedings of Surveyors. (In margin, "New Act to stand when allowed.") (42.) Against suing of persons here for foreign debts within five years after their arrival. (In margin, "Abolished.") (43.) For preserving of the savannahs and small plantations. (*With corrections.*) (44.) For the establishing of the Supreme Court of Judicature in the town

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of St. Jago de la Vega. (*With corrections.*) *Endorsed,* "Jamaica, May 21, 1675. These are to certify that I have carefully examined the several Laws hereunto affixed, containing 117 sheets, and find that they do agree w^th^ the original Records in the custody of Ch. Atkinson, Cl. Con. In pursuance of his Maj^y's^ Instructions, I have commanded the Broad Seal of this Island to be hereunto affixed. May 24, 1675. Vaughan." And (45) an Act for raising a public revenue out of the strong liquors and other goods of the production of foreign plantations imported or to be imported into this Island, and for the disposal thereof. *Endorsed,* "Copy. The Original Revenue Bill, wherein the King's name is expunged, &c." *Together,* 118 *pp.* [*Col. Entry Bk., No. XL.*]

April 26. **539.** Summary of preceding Acts, with the exception of the last. 29½ *pp.* [*Col. Entry Bk., No. XXVIII.*, 128–147.]

April 27. Madeira. **540.** Edward Cranfield to Sir Robt. Southwell. Arrived at Madeira this morning to recruit the Hunter with water and beverage wine, which the victuallers could not furnish her with in England, and Capt. Dickenson having sent to the Council to acquaint the Governor, he sent word that if the Captain would not enter the King's ship as a merchant man, and pay port charges and other duties, he would give him no "produck" (prattick in margin); but Capt. Dickenson refused, and desired him to acquaint the Governor that he would be gone immediately if he would not grant him "produck," which the Governor utterly denied, whereupon they thought it convenient to be gone rather than comply with an unpractical imposition which might reflect on the King's honour. Has received a letter just now from the merchants ashore, complaining of many injuries and indignities daily put upon them by this Governor, and Lord Vaughan was treated in the same manner, but presumes he has account of this before. 1 *p.* [*Col. Papers, Vol.* 34, *No.* 64.]

April 27. **541.** Copy of preceding. [*Col. Entry Bk., No. LXXVIII.*, 94.]

April 27. Madeira. **542.** Copy of the above, but addressed to Sec. Sir Joseph Williamson. *Endorsed,* "R., 30 July," &c. 1 *p.* [*Col. Papers, Vol.* 34, *No.* 65.]

April 29. **543.** "An account taken from Mr. Harris of New England." Number of men bearing arms 7 or 8 thousand foot and 8 or 10 troops of horse, each troop consisting of between 60 and 80 horse. Twelve ships between 40 and 80 tons are built every year in Boston, Salem, and that jurisdiction; he came over in a ship built there of 200 tons with 14 guns. Does not know the number of the fishing boats, the trade being chiefly E. of Rhode Island, but there are never fewer than two men in every boat, sometimes three or four; the fishing is in cod, haddock, and mackerel, transported to the West Indies, Barbadoes, Spain, and the Straits. There are three or four ironworks but he has not heard of guns cast there, though there are many in the country; has seen some on the sea side 3½ yds. long, mostly about Boston in the Fort whereof on the

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sea by which all ships must pass, it is said there are about 20 guns; in the ironworks they formerly cast iron pots to boil meat in. The merchants seem to be rich men, and their houses as handsomely furnished as most in London. In exchange of fish, pipe staves, wool, and tobacco, they have from Spain, Portugal, and the islands, the commodities of those countries; their wool they carry to France and bring thence linen; to England they bring beaver, mouse, and deer skins, sugar and logwood, and carry hence cloth and ironwares; to Barbadoes in exchange for horses, beef, pork, butter, cheese, flour, peas, biscuit, they have sugar and indigo; when they trade with Jamaica, as they do sometimes, they bring home pieces of eight, plate, and pigs of silver. Their money is of pretty good silver; in the middle of it is a pine tree (with which the country abounds); the valuation of it is but 3 of 4 sterling money, and a New England shilling is but 9*d.* sterling; the pieces usually current are only 2*d.*, 3*d.*, 6*d.*, and shillings; with the silver they are supplied from Jamaica. The houses in Boston are of brick and ordinary stone, but most of timber; some are 2 and the most but 3 stories high. The town very large and situate on a neck of land surrounded with a great salt river, only to the landward there is an entrance of about 40 perches large over a low salt marsh, which is sometimes overflown, and where they may cut a river. They have three meeting houses, set round with galleries, and very full; each is as large as an ordinary parish church. Country houses generally of timber. In Rhode Island the houses are very good, especially at Newport, where there are more sheep than anywhere else in New England. The haven is very commodious, being just upon the sea, whereas that of Boston is 2 or 3 miles within the land, and is large enough for 100 ships; this island is about 12 miles long and 2 broad, and is the garden of New England. In Connecticut there is a good harbour at New London, but the town and trade are not considerable. Knows of navigable rivers only in Connecticut, not having seen Puscatoa (? Piscataqua); the country is well provided with water. Does not know the number of islands. In the jurisdiction of Rhode Island is Block Island, first inhabited about seven years ago, where there is excellent fishing for cod, but no harbour. Plymouth, Connecticut, and Massachusetts are in a confederacy called the United Colonies, but Rhode Island is not. The soldiers are all of the inhabitants, they exercise often twice a week, their horsemen wear buff coats, pistols, hangers, and corslets; every soldier bears his own charges, except in war with the Indians; all that are able bear arms except a few Anabaptists and the Quakers, who will not bear any. The Governors chosen by all the freemen; the present Governor of Boston is John Leveret, a resolute man but much opposed by one Major Dennison; the election is yearly, though he has been Governor three years since Mr. Bellingham died. The Governor of Connecticut is John Winthrop, senr., a very good, sober man, who has been Governor near 20 years, and 11 years ago got a Patent from the King. The Governor of New Plymouth is Josiah Winslow, a moderate man; the laws of this Colony come nearer the laws of England than either those of Massachusetts or

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Connecticut. The Governor of Rhode Island is William Codington, a Quaker; the laws of England are pleaded here, and take place; the Governor has only a single vote, at Boston he has a casting vote. The most tyrannical ministers to those that differ from them are the Presbyterians, and amongst the fiercest is one Mr. Thatcher, the only man in the country that keeps a coach. The greatest part of the ministers are Presbyterians, Anabaptists, and Quakers; in Rhode Island, Quakers and Anabaptists rule. There is a considerable party in all the Colonies called Common Protestants, who in Massachusetts are not permitted to bear any high office, but may be constables, but in Rhode Island enjoy the same privileges as others. In the Massachusetts there is a college at Cambridge, 3 miles from Boston, where many preachers, physicians, and Indians (but no lawyers) are bred; it has translated the Bible into the Indian language, and in Massachusetts there are 3 or 4 congregations of Indians, called Praying Indians, and distinguished from the others in Rhode Island who are unconverted in their paganism. There was formerly a fencing school in Massachusetts and Rhode Island; he does not know whether there is any now. Gaming not allowed in Massachusetts. As to cloth, there are made there Linsey woolseys, and other of cotton and wool, and some all sheeps wool, but the better sort of linen is brought from England; they have many woolcombers, and some make Tammyes (?) but for their private use. Salt they get from Tortudas, not far from Barbadoes; it is sold at 10*s.* the hogshead, and is clear and white as alum, very sharp and much stronger than ordinary bay salt. Oaths in Rhode Island the inhabitants take not unless they please, only an engagement, on penalty of perjury, to perform some office or give true testimony. The Oath of Allegiance is to the effect of that ordinarily taken in England, but the Oath of Supremacy differs. 7 *pp.* [*Col. Papers, Vol.* 34, *No.* 66.]

April 30. Nevis. **544.** Governor Stapleton to the Council for Plantations. Promised in his last of the 19th inst. to send "these papers;" is not prepared for what is required in theirs of 27th October. Two of his Deputy Governors are going home, Col. Philip Warner of Antigua for some occasions of his own, and his own brother from Montserrat, who goes for his health. Will instruct them to satisfy their Lordships fully as to these Islands, and if possible they shall have papers relating to St. Christopher's and Nevis. Since the letters between the French General and himself 12 of their negroes are runaway to these Islands, but not yet demanded; thinks it his duty, and is resolved to deny them, till M. de Baas makes restitution of 15 he sold belonging to his Majesty's subjects, or to sell them to him that offers most, as he did. *In margin,* "Rec^{d} 21 June 1675." 1 *p.* [*Col. Papers, Vol.* 34, *No.* 67.]

(May 1.) **545.** "Considerations in order to his Majesty establishing his interests in New England." Robert Mason's proposals concerning the Commissioners to be sent to New Hampshire. Deprecates delay, considering the concurrence of the Proprietors of the best provinces and the inclinations of the people; success will be of manifold ad-

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vantage to the King and the charge will be altogether inconsiderable. The King's counsels leading him to bring all the provinces in New England into a nearer inspection and management, and the first step being to vindicate the grants made to the ancestors of Robert Mason and Ferdinando Gorges, in order to the taking of their properties to himself, it seems advisable that the King should interpose by way of mediation. And as the Massachusetts, by their letter to Secretary Morrice of 30 May 1665 desired to be heard before they were judged, the King may send them a letter by Commissioners (according to their representation by the late Council of Plantations, 12 Aug. 1671) to reconcile all differences, whereby the King may interpose without any dissatisfaction of the Massachusetts, who may be fairly admonished of their duty and be at liberty either to acquiesce in the arbitration of the Commissioners or be heard by agents before the King. Thus the King may be perfectly informed of all interests, and may raise such observations as to lead him to further counsels and settlements. The Commissioners may have instructions open and answerable to the letter written to the Massachusetts and others reserved, by which they may govern themselves according to the temper of affairs. That the Commissioners be about five in number, of a prudent and sober conversation and of several professions, to have limited instructions to some purposes and powers less limited to others. That they proceed first to Portsmouth, where there are said to be many well-inclined to admitting the King's interests as far as they can, being lately oppressed by the Massachusetts, publish the King's declaration, summon the inhabitants of Hampshire and Maine to hear their Commission read, send a messenger to Boston to signify their arrival and carry the King's letter, and choose some convenient town as a place of treaty with the Massachusetts Deputies. That they use means to make an acquaintance with the chief and best-inclined persons in the two provinces, to let them understand that the King has taken counsel for employing his care for their further prosperity, and giving a good title of inheritance to all in possession that desire confirmation under the King's authority, paying only the twentieth penny of the yearly value for yearly rent. That, as soon as they find a fit temper in the people, they treat about the improvement of trade, the supplying the King with masts, &c., and show the advantages which will arise by a better correspondence with England and by their cheerful submission to those ordinary duties which are set upon trade in all other the King's dominions, the inconsistency of the King's permitting any people, especially his own, to be exempt from those rules of government and commerce which support trade and the interest of State; seeing that he provides for the safety of New England as belonging to the Crown, he may justly expect some benefit from their trade, it belonging to the King's care to provide for the general balance of trade. As soon as good impressions are made on the inhabitants, the Commissioners should declare the King's intention to give all possible encouragement to trade in New England, but if any town does not readily submit to

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the necessary regulations and duties, it will not be permitted to trade with any other of the King's plantations and dominions but on payment of double duties. That the Commissioners be empowered to leave one or more of their number in such places as they shall find requisite, and join other persons in commission who may signally show their forward affections to the King's service, so that the provinces may be sooner settled. Draft of the King's declaration to be published in New England, informing the people that he has appointed Commissioners to examine and accommodate differences and return after 12 months, and that if the differences are not settled then, the disagreeing parties are to choose agents to appear before the King for his final determination. Draft of the King's letter to the Massachusetts to the same effect. *Endorsed,* "Read by the Lords of the Committee, 1 May 1675." 4 *pp. Two copies.* [*Col. Papers, Vol.* 34, *Nos.* 68, 69.] *Annexed,*

545. I. Richard Bellingham, Governor of the Massachusetts, to Sec. Sir Wm. Morrice, 30 May 1665. *Calendared in a previous volume* (1661–68), *p.* 301, *No.* 1001, *with Returns of the Massachusetts Commissioners respecting the northern bounds. Endorsed,* "Read before the Lords of the Com^tee, 1 May 1675." [*Col. Papers, Vol.* 34, *No.* 70.]

545. II. The King to the Governor of the Massachusetts, 10 April 1666. *Calendared in a previous volume* (1661–68), *p.* 372, *No.* 1171. [*Col. Entry Bk., Vol. LX., pp.* 21–22.]

May 1. **546.** Copies of the above "Considerations" and the papers annexed. *Annexed,*

546. I. "Result of the Committee." Their Lordships having considered the aforesaid papers, order that Mr. Attorney and Mr. Solicitor General do examine the titles of Mason and Gorges, that his Majesty be moved to send 5 men of great sobriety and discretion as Commissioners to New England, to end all differences, or to tell those on the other side to send back Commissioners; that the Lord Treasurer be desired to send to the Commissioners of Customs for their opinion about the Acts of Trade and Navigation in New England. Conceive the charge may amount to 8,000*l.*, but the advantages of a settlement make it inconsiderable.

546. II. The Committee of Trade and Plantations to the Lord Treasurer. Desire to understand the opinion of the Commissioners of Customs how far the Acts of Trade and Navigation take notice of New England, what violations thereof they have observed there, and of what ill consequence, and what rules they think most proper for the remedy.

546. III. Order of the Committee. Directing the Attorney and Solicitor General to examine the titles of Mason and Gorges. [*Col. Entry Bk., Vol. LX., pp.* 9–25.]

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May 1. **547.** Copies of the above "Result of the Committee" and "Letter to the Lord Treasurer." [*Col. Entry Bks., Vol. CIV., pp.* 22, 23, *and Vol. XCVII., p.* 11.]

May 3–8. St. Jago de la Vega. **548.** Minutes of the Council of Jamaica. The Act for Naturalization returned from the Assembly, with amendments. The Acts for preventing nuisances, regulating Marshall's proceedings in executions, rating meat, preventing trusting seamen, preventing fraud in rum, against tippling, cursing, and swearing, for preventing stealing of boats, for foreign attachments, empowering the Secretary to take sufficient security, and against excessive usury, read and passed; also for Surveyors, with amendment. The Act for raising money read; and French pistols to pass current at 20*s.*, silver French crowns at 5*s.*, and all other moneys of that coin proportionably.

May 4. The following Acts read and passed, viz.: for freight of boats, prohibiting commodities, celebration of the 10th May, empowering the Churchwardens of St. Katherine's to prevent the retailing of strong liquors, for encouragement of Mr. Lassel, for preventing damage by fire, preserving Savannas, regulating hunting, for Mr. Tothill's estate, against suing foreign debts in 5 years, and for Recovery of Subsriptions.

May 5. The Act for the enrolment of Deeds, with amendment, considered, and further amendment proposed. The Act of Revenue returned with divers amendments from the Assembly, at whose request 3 of the Council were appointed to confer thereon with a Committee of the Assembly.

May 6. Sir Thos. Modyford and Sir Thos. Lynch's accounts returned by the Assembly with divers observations. The Act for encouraging the building of a town at Old Harbour read and passed. Report of the Committee of Council on the amendments agreed upon for the Act of Revenue; 1,500*l.* to be given to his Excellency and paid next after the contingent charges; the residences of St. Jago and Port Royal for the Captain-General and Lieutenant-General to be omitted; the salaries to be 2,000*l.* and 600*l.* per annum, paid proportionably; and the General's order to be Warrant to the Treasurer. Thomas Freeman and Hender Molesworth appointed to join a Committee of the Assembly in drawing up said Act.

May 7. The Act for Liberty of Conscience referred to further debate. The Act confirming Orders of Council read; the present Chief Judge, &c., to be inserted in the order about Mr. Cussans and Capt. Rose, instead of John White; other clauses about Jews and Capt. Richard Brayne, &c., to be omitted. The Act for collecting Quit Rents read, with amendments. The Act for Enrolment of Deeds passed, with amendments.

May 8. The Act for preservation of cattle read. Also for Negro Slaves, Maintenance of the Ministry, Christian Servants, and Repairing and Amending Highways, read and passed. [*Col. Entry Bk., No. XXXV.*, 410–419.]

May 5. Whitehall. **549.** Order of the King in Council. The Committee for Foreign Plantations having this day reported their opinion touching the

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inconveniencies of a Colony and inhabiting of his Majesty's subjects in Newfoundland, and his Majesty having thought fit to order the Commander of his convoy bound this year to that place to admonish the inhabitants either to return to England or betake themselves to other of his Majesty's Plantations; ordered, that Sec. Williamson prepare letters to the several Governors of said Foreign Plantations to receive any of said inhabitants of Newfoundland with favour, and afford them all convenient help towards their settlement. 1 *p.* [*Col. Papers, Vol.* 34, *No.* 71.]

May 5. Whitehall. **550.** Order in Council. Upon reading the Report of the Committee for Foreign Plantations of 15th April, as follows: they have in obedience to his Majesty's Order of 12th February considered Mr. Hinton's petition and papers touching the necessity of placing a Governor at Newfoundland for the advantage of that fishery, and have perused all the papers touching this affair and sent advertisement to all the Western Ports, and heard their agents and other principal Merchants of the Exchange, some for the encouragement of a Colony and Governor, but many more against both; and the points that seemed very clear were as follow:—(1) The French have of late years applied themselves with great industry and public encouragement to the fishing trade on one of the sides of Newfoundland, so that the English serve none of the markets of France as formerly, but on the contrary, the French are found in many other foreign markets as early as the English; (2) the people of New England take about 60,000 kintals of fish a year on their own coasts, and by increasing that trade bring much detriment to that of Newfoundland; (3) for some years the fish has failed in Newfoundland, and the Adventurers have lost many ships and hands in the wars, especially with Spain, and the inhabitants and planters who, contrary to their Charter, live within six miles of the sea, destroy the woods and whatever the Adventurers yearly leave, possess the best places before the Adventurers return, and mostly sell wine and brandy, whereby the seamen are withdrawn from their labour and seduced to stay, leaving their families a burden to their parishes at home. From all which t'was easy to believe that the complaints of a decay of trade were very just, but as for Mr. Hinton's proposal, their Lordships could not find that a Governor would cure any part, (1) because the planters, numbering 800 or 1,000, live scattered in 25 harbours, betwixt Renouse (?) and Bonavista, which are almost 80 leagues asunder; (2) in all the winter, when the abuses are many of them done, there is no passing from one place to another, so that near 40 harbours would have no Government though a Governor were in the country; (3) besides the charge of forts and a Governor which the fish trade cannot support, any such defence against foreigners is needless, the coast being defended in the winter by ice, and must in summer be the resort of his Majesty's subjects, for that place will always belong to him that is superior at sea. So that unless their Lordships saw reasons for a Colony, they could see none for a Governor; and against a Colony there are not only the rigours of the climate and infertility of the land, but the inhabitants chiefly consume the products of New England,

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and would in time tread in the same steps, to the loss of England, for a like regulation on the products of this place as on those of other Plantations could not be expected, because fish cannot bear the charge of coming home but must go directly to the markets abroad. As concerning the French, find they manage the trade by the Adventurers ships that yearly go out and return, for their fort at Placentia in the south part of the island is only to defend them from the Indians who come off from the main and molest them in their beaver trade, for which trade only they inhabit there. Find also that the Adventurers can catch fish cheaper than the Planters, and that the English do in general still preserve a superiority in the trade over the French. So that on the whole matter their Lordships find the Rules formerly settled in Council, the 10th March 1670–71, needed only some few additions to make the trade revive, which are proposed as follow :—(1) That all inhabiting in that country be discouraged, and that the Commander of his Majesty's convoy this year, declare his Majesty's pleasure to all Planters that they come voluntarily away, and that next year his Majesty's convoys will begin to put in execution the ancient Charter forbidding any Planters to inhabit within six miles of the shore from Cape Race to Bonavista, and to seize and send home any offenders, and in this single point their Lordships conceive consists the validity and good effect of the whole regulation; (2) that the convoy assist in transporting those desirous to return home, and to declare that if they choose to betake themselves to other Plantations, the Governors are now written to and commanded to receive them with all favour; and such letters it is proposed may be speedily sent to said Governors. Also that the convoy be ordered to enquire whether any strangers, in this time of war, come there to fish under pretext of being English; and in case of jealousy, to enquire into their passes and sea briefs, and how they have been procured; also to enquire into the state of the French trade, the number of their ships and whether a more or less number this year than formerly; and of all his observations and journals to send a duplicate to this Committee; (3) that his Majesty's Counsel be directed, as formerly, to review the powers formerly given by his Majesty's Charter of Confirmation, for trying treasons, felonies, murders there, and if deficient, report what sort of judicature should be erected; (4) and that when his Majesty has settled in what hands that power shall be placed, the Mayors of the Western Ports be required to renew their Charter, with the additional Rules and Powers, and that the same be printed, and a proclamation issued to enforce the same. Ordered, that all necessary orders forthwith issue for the better effecting the several things advised in the above Report, that so by a due course to be taken in Newfoundland and by a renewal and enlargement of the Charter for better regulation of things at home and the punishment of crimes committed, said trade may recover and mariners be increased to the public benefit and welfare of this Kingdom. [*Col. Entry Bk., No. XCVI.*, 2–8.]

May 5. **551.** Mem. of preceding Order in Council, though headed "Order upon report of the Committee concerning Surinam"

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"that island" is corrected to "Newfoundland." Also Draft Mem.—That when Mr. Attorney returns his Report of the Judicature, there must issue a new Order requiring the Mayors to surrender their old Charter and take a new one, with the additional powers of 10th March 1670–71, concluding with a direction to the Attorney General to prepare a Bill for the King's signature accordingly; and order for printing the Charter, and for Proclamation of the matter. 1 *p.* [*Col. Papers, Vol.* 34, *No.* 72.]

May 9. Whitehall. **552.** Warrant to (the Attorney General). Whereas his Majesty has received information from Sir Jonathan Atkins, Knt., Governor of Barbadoes, and from the testimony on oath of William Hamlyn of Antigua, mariner, that in 1673, Col. Philip Warner, Deputy Governor of Antigua, having undertaken an expedition against the Indians to windward of Dominica, with the assistance of Thomas Warner, Deputy Governor of Dominica, after the enterprise was over invited said Thomas Warner and the Indians with him to the number of 60 or 70 men, women, and children to an entertainment of thanks for their good service, and having made them drunk, the English, upon signal from Col. Warner, fell upon Thomas Warner and his company and killed all or the greater part of them, and it is believed that this slaughter was committed by the sole direction of said Col. Plilip Warner. To the end that so inhuman an attempt should be duly examined, and the persons convicted brought to condign punishment, it is his Majesty's pleasure that a Bill be prepared to pass the Great Seal containing a Special Commission of Oyer and Terminer, authorizing Sir Jonathan Atkins, Governor of Barbadoes, and (*blank*) whereof said Governor to be always one, to hear the matter aforesaid, pass such sentence and judgment as shall be agreeable to law and justice, and cause the same to be put in execution. *Beneath is a memorandum.* This warrant passed no further but instead thereof a letter was signed by his Majesty, to Sir Jonathan Atkins (and entered in the Plantation Book) requiring him to try the parties accused according to the powers of his Commission, 3 *pp.* [*Dom. Entry Bk. Chas. II., Vol.* 28, *pp.* 131*d*, 132*d*.]

May 11. Whitehall. **553.** Warrant to (the Attorney General). Whereas Thomas Lewis has informed his Majesty that he lately sent one of his sons, Thomas Lewis, on the frigate Foresight to Jamaica to settle there, but some differences happening between him and another young man it was the fortune (*sic*) of said Lewis to kill the other in a duel at Barbadoes, for which he has been condemned but reprieved for his Majesty's pleasure, and said Thomas Lewis having besought his Majesty's mercy for the life of his son, it is his Majesty's pleasure that he prepare a Bill to pass the Great Seal, containing a grant of his Majesty's pardon to said Thomas Lewis for the death of William Acton, gent., and all indictments and forfeitures by reason thereof. [*Dom. Entry Bk., Chas. II., Vol.* 28, *pp.* 133, 133*d*.]

May 11–15. St. Jago de la Vega. **554.** Minutes of the Council of Jamaica. Three Acts, for collecting the Quit Rents, for enrolment of Deeds, and for preservation of Cattle, read and passed. An Act for dividing the Parishes read and sent to the Assembly, with an Amendment. An Act em-

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powering Justices of the Peace to decide all differences under 40*s.* read, with an Amendment. An Act declaring the Laws of England in force read, with an Amendment. The several Amendments in the Act of the Militia sent from the Assembly consented to, except the omission of the Proviso concerning his Excellency's Commission, which the Council still adhere to, and an additional Clause to be inserted. Petition to His Royal Highness, proposed by his Excellency instead of re-enacting the Law for free importation of negroes, ordered to be signed by the Clerk and recorded, and sent to the Assembly to be signed by the Speaker. His Excellency's representations of the great affection His Royal Highness has for this place have transported them with joy, and that they may be better enabled to make some grateful returns, they beg His Royal Highness to interpose with the Royal African Company to furnish the Island annually with a plentiful supply of negroes at moderate rates, whereby his Majesty's Customs will be considerably increased and the Colony exceedingly strengthened.

May 12. Concurrence of the Assembly in the Petition to the Duke, with the thanks of the whole House to his Excellency for proposing so good an expedient. Accounts presented by Sam. Bernard, Esq., Treasurer, examined, and ordered to be filed with the Clerk of the Council, as also the Account current which follows, total 1,854*l.* 9*s.* 3*d.*, leaving a balance due from the Treasury of 269*l.* 10*s.* 9*d.*

May 13. Acts for dividing the Island into Parishes, declaring the Laws of England in force, empowering Justices of the Peace to decide all differences under 40*s.*, establishing the Fees of the several Officers, and collecting Quit Rents, read and passed. The Act for the Militia returned from the Assembly; his Excellency and Council consented to the omission of sh[illegible]pkeepers, but adhered to the last Clause, his Excellency declaring his meaning was only to preserve his commission from being encroached upon.

May 14. The Act of Revenue read and passed. His Excellency and Council consented to the Act of Militia, which was read and passed. Acts, for repealing an Act for the Suppression of Lawyers, for quieting all persons' estates against dormant titles, and for confirming divers Orders of Council, read and passed. Acts, about Surveyors, for raising the value of money, and for the better maintenance of the Ministry, read and passed.

May 15. The Act of Revenue presented from the Assembly, with an Amendment; his Excellency urged that the Committee had agreed that the Governor's warrant should be the Treasurer's discharge, and sent it back to be further considered. Reasons sent from the Assembly for adhering to their vote, which his Excellency debated with them, saying he had no other meaning than that the Treasurer should be secure. After an hour's adjournment Wm. Beeston, Esq., acquainted his Excellency from the Assembly that the Act of Revenue was passed, and prayed that all the Acts might now be presented to his Excellency by their Speaker, and signed in their presence according to the custom of this place; to which his Excellency answered that he should guide himself according to the usage of Parliaments in England, and desired that the Speaker and

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all the Assembly should attend him. The Acts presented to his Excellency by the Speaker and Assembly as fully passed in their house, praying he would sign them in their presence; to which he answered that they must withdraw, for they could not be witnesses to anything he did by virtue of his negative voice; on which the Speaker said a vote had passed that unless his Excellency would sign them in their presence he was to bring them all back, and by no means to part with them, to which his Excellency replied the vote was altogether unparliamentary, and that having passed the Acts 3 times their consents were bound, and they were wholly dispossessd of them, and could not consider them as any records belonging to them; whereupon the Speaker desired to know what means the subjects might use to procure an Act beneficial to themselves; to which his Excellency answered that it was in their power to delay any other Act till their petition was granted. The Speaker and Assembly having withdrawn, his Excellency signed the ensuing Acts, being what the Speaker had presented, viz.: Acts for better maintenance of the Ministry; for ascertaining the number of Assembly men; for raising the public Revenue; for dividing the Island into Parishes; for foreign Attachments; for regulating the Marshal's proceedings in levying Executions; for settling the Militia; for taking out Patents and speedily collecting his Majesty's Quit Rents; requiring the enrolment of Deeds; for repairing Highways; for compensation of Mr. Scarlett, &c.; to prevent the retailing of Strong Liquors by unlicensed persons; for remedying Nuisances; empowering the Secretary to take security; against tippling, cursing, and swearing; for the good governing of Servants; for the good government of Negroes; for regulating Fees; for confirming Orders of Council; to prevent fraud in makers and sellers of Rum; to prevent Damages by Fire; establishing the current price of Money; repealing the Act suppressing multiplicities of Lawsuits; for regulating Hunting; for establishing the Supreme Court of Judicature at St. Jago de la Vega; for the recovery of Subscriptions, &c.; preventing abuses by Surveyors; for preserving Savannas; against excessive usury; empowering Justices of the Peace to decide differences under 40*s.*; for rating meat sold by retail; prohibiting the transportation of several commodities out of this Island; declaring it felony to steal a boat; for quieting all Estates against dormant Titles; for naturalization; empowering the Churchwardens of St. Katherine's; against suing for foreign debts for 5 years; declaring the Laws of England in force; for regulating the freight of boats; for the keeping holy the 10th of May; for the preservation of cattle; to prevent seamen leaving their ships; to encourage shipping to load at Old Harbour; for the encouragement of Mr. Lassells; and for the sale of Mr. Tothill's Estate. The Speaker and Assembly sent for by his Excellency, who having declared that he had signed all the Acts presented by the Speaker, prorogued them to December next. [*Col. Entry Bk., No. XXXV.*, 419–434.]

May 12. Whitehall. **555.** Warrant confirming Nathaniel Bacon, one of his Majesty's Council for Virginia, in consideration of his good services and

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abilities in the office of Auditor of the public accounts of that Colony, in the room of Edward Diggs, late Auditor, deceased. 1 *p.* [*Col. Papers, Vol.* 34, *No.* 73; *also Col. Entry Bk., Vol.* 110, *p.* 66.]

May 12. **556.** Report of the Commissioners of the Customs to the Council for Foreign Plantations on the execution of the Navigation Acts in New England. New England is subject to the laws that relate to the Plantation Trade, abstract of which is annexed. As regards the violation of these laws, they are informed that before the law for regulating the Plantation Trade made in the 25th year of the King imposing certain duties on sugar, tobacco, cotton wool, indigo, ginger, logwood, fustick, and cocoa-nuts, several of these commodities were brought from the respective plantations to New England, thence transported to Ireland and other foreign parts. They hope that since the making of the said law and officers appointed to carry it into execution, the inconveniences may be prevented, and they are advised that since the King's letter to the Government of Virginia they have taken bonds of some ships as the law formerly directed. They are informed that several ships have laden commodities of the growth and manufacture of Europe in other parts of Europe than the King's dominions, and have unladen the same in New England contrary to the said law. As to the damage arising thereby to the King's profit, it is provided by the said law that England should be a staple for the commodities of the plantations and of other countries for their supply to be carried directly from England and from no other place; but if contrary to the law through the connivance or negligence of the officers in the other plantations, the enumerated commodities should be laden for New England without payment of duties and without a bond to bring them to England, foreign parts may be made a magazine for these commodities; and if European goods should be exported there from other places, the plantations will be thence supplied with them to the prejudice of the trade of England. They have nothing on which to ground a calculation of the particular detriment thus arising. As for rules to remedy these inconveniences, they advise that all Governors be required to take the oath for executing the law, and be strictly required to suffer no ship to trade there, but those belonging to England or some English plantation and navigated according to law, to seize any vessel importing European commodities proscribed by law if not actually laden in England, and to take bonds with securities of all masters of vessels to bring and unlade in some port of England, Wales, or Berwick, all the enumerated plantation commodities. *Signed:* Geo. Downing, Wm. Garway, Fr. Millington, and John Upton. *Annexed,*

556. I. Abstract of laws relating to the plantation trade. 3 *pp.* [*Col. Papers, Vol.* 34, *Nos.* 74, 75; *also Col. Entry Bks., No.* 60, *p.* 29, *and No.* 97, *p.* 12.]

May 12. **557.** Caveat that no grant pass of any fine of 500*l.* imposed upon Giles Bland in Virginia for some quarrel with the Secretary

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of the Council there. 4 *lines.* [*Dom. Entry Bk., Chas. II., Vol.* 45, *p.* 10.]

May 13. **558.** Minutes of the Council of Barbadoes. Ordered, that the Grand Sessions be holden on 8th June next, and that summons be timely issued as accustomed, and sent to the Privy Council living in the parish. ½ *p.* [*Col. Entry Book, No. XI.*, 288.]

May 14. **559.** Report of Sir Wm. Jones and Sir Fras. Winnington, Attorney and Solicitor General to the Committee for Foreign Plantations. Have considered the matter referred to them 1st instant [*see ante, No.* 546 I.]. Find that Sir Ferdinando Gorges in the 15th year of Charles I. obtained a grant to him and his heirs under the great seal, of a considerable part of New England in America called Maine, to be holden of some rents as of the manor of East Greenwich; are of opinion that Ferdinando Gorges, being the grandson and heir of Sir Ferdinando Gorges, has a good title to the province of Maine. *Underwritten,* Read at the Committee, 24th May 1675. 1 *p.* [*Col. Papers, Vol.* 34, *No.* 76; *also Col. Entry Bk., No.* 60, *p.* 26.]

May 14. Aboard the America. **560.** Edward Cranfield and Ri. Dickenson to Sir Robt. Southwell. Left Madeira 27th April, and meeting with ships bound for Barbadoes, took the opportunity of sending duplicates of their proceedings at Madeira and rendering account how propitious the winds have been. If they meet with a courteous reception at Surinam, doubt not their dispatches may be effected without much demurrage of time, and will take care to discharge the ships with all expedition according to their instructions. ½ *p.* [*Col. Entry Bk., No. LXXVIII.*, 95.]

May 17. **561.** Earl of Shaftesbury to his affectionate and faithful friend Capt. John Wentworth, Governor of New Providence. Has received his letters of 26th August and 13th October. Can give no further directions concerning the Brazilletto than were in their general letter. The Lords Proprietors are resolved not to be wronged, they have a good right to the land and the wood that grows upon it, and will not want means to make good their right. Thought himself very truly his friend, and that his Lordship had made the Proprietors, Adventurers, and his interest the same, and had the design to bring Wentworth to a great and lasting condition and quality had he proved himself as expected, but his Lordship must tell him plainly that he has reason to apprehend Capt. Darrell and Mr. Colleton have found ways to lead him more to their interest than to that of the Proprietors or Adventurers, though in the end Wentworth will find the difference in dealing with such men rather than with the Proprietors, who not only walk by rules of honour but have the power to right themselves. Do not think such men as those are able to overthrow the design. As still desirous to be his friend, tells him plainly if he desires to continue Governor he must break off all correspondence with them or any

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other interest against the Proprietors or Adventurers. Leaves the Spanish trade to the Adventurers' management, though his Lordship thought he might have been very useful to them. Desires to know whether he holds the place of Governor as chosen by the people or the Proprietors, for if by the former the latter will quickly try how safe the island will be under another. Reasons for this question, offers his friendship if Wentworth will have it, the terms are not difficult, to be just and faithful to those who employ him. [*Shaftesbury Papers, Section IX., Bundle* 48, *No.* 55, *p.* 149.]

May 17. Exeter House. Shaftesbury Papers.

562. Earl of Shaftesbury to his assured good friend [Isaac] Rush. Has received his of the 10th Aug., and is sorry there was any mistake concerning him, for the Proprietors opinion of him is that he is a discreet, honest, and plain dealing man. Is not satisfied that the Adventurers' agent has not made better use of his assistance. Hopes his island will be much better supplied for the future, for it is intended to be a mart and staple for the neighbouring plantations. If he continue on the island he may expect better advantages every way than he can have in any other place. Has spoken to the Adventurers' agent to make use of his assistance in future and will get him profitable employment. Commends his honesty and integrity and assures him of his Lordship's friendship upon all occasions. [*Shaftesbury Papers, Section IX., Bundle* 48. *No.* 55, *p.* 150.]

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563. Report of the Attorney and Solicitor General to the Committee of Plantations. Have examined the claims of Robert Mason to the province of New Hampshire, and find that King James, 3rd November 1620, granted to several persons under the name of the Council of New England all the mainland in America lying between 40° and 48° N. lat., and that John Mason, grandfather of Robert Mason, by several grants from this Council, dated 9 March 1620, 7 November 1629, and 22 April 1635, was instated in fee in sundry great tracts of land in New England by the name of New Hampshire. Are of opinion that Robert Mason, being the heir of the said John Mason, hath a good and legal title to the lands called New Hampshire. *Underwritten,* Read at Committee, 24 May 1675. 1 *p. Two copies.* [*Col. Papers, Vol.* 34, *Nos.* 77, 78; *also Col. Entry Bk., No.* 60, *pp.* 27, 28.]

May 17. St. Jago de la Vega.

564. Peter Beckford (Sec. of Jamaica) to Sec. Sir Joseph Williamson. Since his last little of moment has happened. The Assembly met 26th April and my Lord made them a pithy and gracious speech. Will send copies of some of the Acts by the next; all that were new were an Act for naturalizing all strangers here, and an Act to repeal a former Act against the pleading of lawyers in any of our Courts of Common Pleas. In the Act of Revenue they have given my Lord 1,500*l.* to be paid out of the Public Treasury next after the contingencies, and 2,000*l.* per annum to his Excellency, and 600*l.* per annum (if the Treasury hold out) to our Lieut.-Governor, his Lordship to be judge of the contingencies,

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and all to be paid by Warrant from his Exchequer to the Treasurer. Advice from Tortudas, that the French are making up a fleet, and a great body of men to attack some considerable place of the Spaniards; and from St. Jago on Cuba, that the Queen Regent of Spain has sent orders to the Governor there, on notice of the arrival of Sir Thos. Modyford and Sir Henry Morgan in Jamaica immediately to advise her thereof. Two days since they had advice of a ship of this island laden with logwood taken by the Spaniards and carried into San Domingo. Sends copy of address from the Assembly to his Royal Highness. The 14th inst. his Excellency, having consented to the Acts, prorogued the Assembly till the 13th Dec. next. 2 *pp.* [*Col. Papers, Vol.* 34, *No.* 79.]

May 18. Wallingford House.

565. Earl of Danby, Lord Treasurer, to the Committee for Foreign Plantations. Has transmitted to the Comissioners of Customs the paper sent to him concerning the pretensions of Mason and Gorges to the provinces of New Hampshire and Maine, who have reported their opinion on the whole matter, which is herewith sent. *Encloses,*

565. I. The Report of Commissioners of Customs about New England, *calendared, see ante, No.* 556. *Endorsed,* Read before the Lords of the Committee 24 May 1675. Read again 2 Dec. 1675. *Together,* 7 *pp.* [*Col. Papers, Vol.* 34, *Nos.* 80, 80 I.; *also Col. Entry Bks., Vol. LX., pp.* 29–36, *and Vol. XCVII., pp.* 12–21.]

May 18. Jamaica.

566. Governor Lord Vaughan to Sec. Sir Joseph Williamson. Wrote about a month since advising of his arrival and the receipt of his letter by Peter Beckford, to whom he has been very kind and will continue so to be. Sends this by their friend Sir Thos. Lynch, for he shall now always call him so, being very well satisfied with his prudent government and conduct of affairs; to whom he refers for particulars of what has occurred since his landing, as likewise of the unlucky shipwreck of Sir Hen. Morgan and loss of his Majesty's stores occasioned by his particular ill conduct and wilful breach of his positive and written orders, and his behaviour and weakness since at the meeting of the Assembly; which, with other follies, have so tired him that he is perfectly weary of him, and frankly tells Williamson that he thinks it for his Majesty's service he should be removed, and the charge of so useless an officer saved. What he strove for in England was not so much for Sir Henry as against the dividing of the Commissions, which he considered would cause disputes. What he has further discoursed to Sir Thos. Lynch he will communicate. Has written all the Ministers the truth of this miscarriage, and believes his Majesty and his Royal Highness will much resent it. Should the King make this alteration that in the absence or approaching death of the Governor he should have power to appoint a fitting deputy, approved by his Majesty, there being need of none during the Governor's residence, a power Lord Windsor had, he would rather recommend Sir Thos. Lynch than any one. 2 *pp.* [*Col. Papers, Vol.* 34, *No.* 81.]

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May 22. **567.** The King to Lord Vaughan, Governor of Jamaica. Thomas Martyn having been obliged to remain in England some time since the granting his Letters Patent for the place of Receiver in Jamaica and now repairing to the execution of his charge, the King commands that no advantage be taken of his stay here, and that he suffer no molestation in relation to his said office, and that the Governor recommend him to the Council there that he proceed with the better success in the discharge of his place, but that he give the Governor once a year a regular account of his receipts. 1½ *pp.* [*Col. Entry Bk., Vol.* 110, *pp.* 72, 73.]

May 24. **568.** Minutes of the Committee for Plantations. Reports of the Attorney and Solicitor General on the claims of Gorges and Mason read, in which the Lords acquiesce as finding the title good. Letter from the Lord Treasurer of the 18th, enclosing report of the Commissioners of the Customs of the 12th, read. Commissioners to be consulted as to whether all Governors have taken the oath for the observance of the Navigation Acts and before whom, and whether all such Governors return the bonds taken. Collection to be made of all Commissions given to foreign Governors, of the Charters and Grants of the American plantations, at what time and how they came under the sovereignty of his Majesty, and how they hold of him. Copies ordered of the grants of Mason and Gorges, the Massachusetts Charter in Mr. Slingsby's hands; enquiry to be made about the two warrants in 1637, the answer of the Bostoners to his Majesty's letter of 1666, for the papers of Col. Nicholls and the Commissioners sent to New England; to see into the Council Books for all papers relating to New England. Those papers were presented to the Council of Plantations by Lord Arlington 26 June 1671. Quære Mr. Slingsby about them. Series of all papers possible to be got in this affair to be collected and put together. 3 *pp.* [*Col. Entry Bk., No.* 104, *pp.* 23–25.]

May 25. Livorne (? Leghorn). **569.** Mr. Ball's proposals about the Mainotti. Has often much compassionated the Mainotti, who are the inhabitants of the famous Morea, and has discovered much with a Greek, an intelligent man, who manages all their affairs, and who doubts not, if his Majesty please, or any of his subjects who can give them land, to procure many thousands of them to go and inhabit any secure part of America under his Majesty's dominion. They have been turbulent, and the Turk endeavours what possible to drive them out of the country, laying a tax of so much per head, taking away their children, and not suffering them to exercise their religion, which is of the Greek Church. The Grand Duke pays the passage of all that will come at 5*s.* 4*d.* per head; many English ships have brought them in his time, and this year past came 400 or 500, and hears they have freighted two French polaccas, and want more. The Duke gives them land on the sea coast of Sienna, which is so bad an air that few live, and corn to sow, but otherwise treats them badly, so that they come to nothing. The Duke of Savoy has likewise lately courted them to come into their country, and whoever brings them to Villafranca is to have 5½ pieces of 8

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per head. Ships go to Porto Vitolo, and an open road called Praitea, over against Candia (here called Braccia de Main), and men, women, and children embark, the Turk having no command to hinder them. Near that place may be 6,000 or 7,000, and on the Morea 4,000, who live in caves, woods, &c., and might all be got off. They are very laborious, great herdsmen, and make much oil, wine, wax, cotton, and silk, and doubtless would produce the like in any proper country, as Virginia, Jamaica, &c., with which his Majesty is so well furnished, wanting only people to be the greatest prince in the world. They only desire the free exercise of their religion, and enough land to maintain them. His Majesty might order that commanders of ships bringing them to Tangiers or rather England shall have so much per head, and then ships bound for the place alloted have so much per head again ; and the many ships going yearly home from Zante might carry a great many, or as these ships of war now bound for the Levant are called home, they might be ordered to bring them away, and this great deed of charity might be done with little charge, 15 or 20 pieces of 8 per head would do, for they live almost on nothing, and commonly carry their own provisions. About 400 of them bound hither were lately carried to Algiers, it would be a great deed of charity to redeem them, 100 pieces of 8 per head would do it, and they would be slaves to his Majesty till they had paid it with interest. *Endorsed,* " Read at the Committee of Plantation 24 Sept. 1675." 3½ *pp.* [*Col. Papers, Vol.* 34, *No.* 82 ; *also Col. Entry Bk., Vol.* 97, *p.* 25.]

May 26. Nevis. **570.** Forty-eight Acts passed in the island of Nevis, 26th May 1675, viz. :—(1.) An Act for settling an Impost on the Commodities of the growth of this Island. (2.) Against profanation of the Sabbath. (3.) For encouragement of Ministers and other Church officers. (4.) Constables not to refuse to serve. (5.) Plantations not to be sold again until first paid for. (6.) Actions of Nisi Prius, 1,000 lb. sugar. (7.) Ships and boats to enter into security. (8.) Women servants inveigled. (9.) Instead of torches, lanthorn and candle (against the use of torches for crabbing, or smoking tobacco near any canes or other combustible matter). (10.) Executions and their penalties. (11.) Breadth of common paths. (12.) Non-subscribers to elections. (13.) Negroes not to sport or absent themselves on the Lord's day. (14.) Marshal's duty to the public. (15.) Running away with boats. (16.) Servants sold by indenture or otherwise. (17.) Washing in cisterns, ponds, slabbs, or guts. (18.) Provision for the Poor. (19.) Powder duties. (20.) Prohibition against clearing into other men's lands. (21.) White men not to keep company with negroes. (22.) Damages against trespass. (23.) Accounts left upon oath not pleadable, no assignments of bills without the knowledge of the debitor. (24.) Marshal or deputy not to serve or levy any execution or warrant in time of Court. (25.) Penalty on persons denying to serve in the public employ. (26.) Women not to answer in lieu of their husbands in any Court of Judicature. (27.) Chirurgeons not to practice without licence from the authority,

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(28.) For encouraging import of servants: for encouragement of servants by indenture. (29.) Prohibition of importing rum. (30.) Concerning rates of liquors for taverns and tippling houses. (31.) Regulation of Secretary's and Marshal's fees (title only). (32.) Against running away with boats (dated 19th May 1675). (33.) Concerning appraisement of lands and houses (dated 19th May 1675). (34.) For suppression of thatched houses. (35.) Against killing negroes. (36.) Concerning going on board ships and other vessels. (37.) For due places for payment of sugar. (38.) For raising the price of money. (39.) For rates of sugar in money. (40.) For establishment and settlement of lands. (41.) For tickets and let passes. (42.) For storehouse-keepers to keep 56 lbs. of powder. (43.) Concerning outcries. (44.) For killing hogs, goats, and fowls. (45.) Concerning labourer's hire. (46.) For planting of corn. (47.) Against demolishment of fortifications. And (48.) against carrying of commodities and entertaining foreigners. *Endorsed*, "Recd. from Col. Stapleton, 27th of Aug. 1678." *Together*, 47½ *pp.* [*Col. Entry Bk., No. L.*, 89–140.]

[May.] Jamaica. **571.** Sir Thos. Lynch's account of the state of the Church in Jamaica. Mr. Hayne, a young man, good scholar, and orthodox preacher, is minister at Port Royal; he has 200*l.* per annum, and the greatest cure, where all the merchants and tradesmen reside, and vessels and strangers resort. Mr. Hansyer, an honest man, good liver, and reasonable preacher, is minister at St. Jago, where the Governor and some gentlemen live, the parish is called St. Catherine's, out of which St. Thomas and St. Dorothy's have lately been taken, but as yet they jointly contribute to pay the minister 130*l.* per annum. Mr. Lemon, a sober young man, and very good preacher, is minister at Guinaboa, St. John's parish; he has 100*l.* per annum from the parish, and about as much from Col. Coape for keeping a free school he has erected. Mr. Cellar, esteemed a sober honest man, is minister at Lygonee, St. Andrew's parish, where he has a house, glebe land, and 100*l.* per annum; he and Mr. Hansyer are Swiss by birth. None but these four parishes are supplied, though there are 14 in the island. In Vere or Wyttiywood there is a church, and that and Clarendon parish adjoining are able and willing to give a minister 100*l.* per annum; at Yhallahs or St. David's there is another church, and that parish and St. Thomas' adjoining might well pay 100*l.* per annum. All the other parishes on the north side and St. Elizabeth's on the south, are great and ill settled, without churches, being mostly planted in Sir Thos. Lynch's time, who ordered glebe lands to be reserved in two or three places in every parish, which in time may prove convenient. He likewise, observing how prejudicial and dishonourable it was for the ministers to be at the will of the vestries, prevailed with the Assembly to make a law that every parish should pay their parson 100*l.* per annum at least. If two good, grave, and learned men were sent over they would do God and that island great service, but they may not expect above 100*l.* per annum there, so that without some

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encouragement here such will not go; but if the King would affix to that island two considerable prebendaries, as of Eton, Westminster, Lincoln, &c., such persons by the Bishop of London's directions might have a superintendence of Church affairs, keep people in their duty, convert sectaries, and suppress atheism and irreligion, which people there much incline to. *Endorsed*, "Sir Thomas Lynch, his acct. about the Church in Jamaica, May 1675." 2 *pp.* [*Col. Papers, Vol.* 34, *No.* 83.]

May 27. Whitehall. **572.** The King to Lord Vaughan, Governor of Jamaica. Whereas Thomas Martyn has been obliged to attend here the prosecution of justice for losses sustained from the French, on which account he was sent by his Majesty into France, but is now repairing to the execution of his charge, as receiver in Jamaica, it is the King's pleasure that no trouble or molestation be given him in relation to said office by reason of his absence since the granting of the said Letters Patents [*see previous volume of Calendar, No.* 1260], but that all just favour be shown him in the execution of same, yet so as the Governor calls him once a year to give account of all receipts as is usual with offices. 1 *p.* [*Col. Papers, Vol.* 31, *No.* 31.]

May 31. **573.** Mem. of petition of the creditors of Edward Billing, purchasers of a part of New Jersey, to be defended from all visits and troubles arising by Sir George Carteret who claims part of it; with reference by the Duke of York to the Committee for managing his revenue. [*Col. Entry Bk., No.* 70, *p.* 18.]

May ? **574.** The King to Sir Jonathan Atkins, Governor of Barbadoes. Thomas Lewis bound for Jamaica but touching at Barbadoes, had some difference with William Acton by whose importunity and provocations Lewis was drawn to determine the difference by duel wherein he had the misfortune to kill Acton, the king has thought fit to grant his pardon to Lewis, which is now going forward to the great seal with all diligence and will be sent over by his father as soon as it is past. Countersigned by Sec. Coventry (*see ante, No.* 553). 1 *p.* [*Col. Entry Bk., Vol.* 110, *p.* 67.]

June 8. Whitehall. **575.** Secretary Sir Joseph Williamson to Sir Jonathan Atkins, Governor of Barbadoes. This is principally to cover enclosed collections of occurrents. Has had one letter from him since his arrival, for which he returns humble thanks, begging him to let him know whatever passes in those parts, which is of infinite use, besides the curiosity a man may have in it for his own satisfaction. ½ *p.* [*Col. Entry Bk., No. XCIII., fol.* 137.]

June 9. Exeter House. **576.** Earl of Shaftesbury to his very affectionate friend Andrew Percivall at St. Giles' Plantation on Ashley river. Jacob Waite and two or three other families called Quakers come in his Lordship's dogger, harbingers of a great number that intend to follow. 'Tis their purpose to take a whole colony for themselves and their friends, and they have promised to build a town of 30 houses. Has directed the Government and Council to set them out the 12,000 acres, and would have him be very kind to them, and give

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them all the assistance he can on the choice of a place or anything that will conduce to their convenient settlement, for they are people his Lordship has a great regard to. [*Shaftesbury Papers, Section IX., Bundle* 48, *No.* 55, *p.* 151.]

June 9. Exeter House. Shaftesbury Papers.

577. Earl of Shaftesbury to his very affectionate friends the Governor and Council in Carolina. The bearer, Jacob Waite, with some others of his persuasion come to settle in his neighbourhood, are people his Lordship has had transactions with here, and is concerned to have a particular care of. Recommends them to the Governor and Council, and at their arrival to accommodate them with all the place affords and give them such usage as may encourage them to invite over the rest of their friends who intend to follow in a considerable number. To set them out a whole colony of 12,000 acres, and as they intend within five years to build a town of 30 houses with 100 inhabitants at least, to each of which houses must belong as a town lot seventy acres inseparable for ever. [*Shaftesbury Papers, Section IX., Bundle* 48, *No.* 55, *p.* 152.]

June 9. Exeter House. Shaftesbury Papers.

578. Earl of Shaftesbury to his very sincere friend Maurice Matthews. Takes very kindly the service he has done his Lordship in his particular affairs in Carolina, and will on all occasions show how sensible he is of it, for by sticking to his Lordship's interest there he has fastened himself to a man who never casts off or neglects anyone that does so. Hopes as his Lordship's design to settle at Edistoe has been disappointed he may be serviceable and helping in the Plantation in his neighbourhood. Is so well assured of his honesty, ability, and particular affection that his Lordship is sure he will afford Mr. Percivall all the assistance he desires. His Lordship's settlement on Ashley river pleases him the better that it hath at hand an old planter his Lordship's friend and trustee. [*Shaftesbury Papers, Section IX., Bundle* 48, *No.* 55, *p.* 153.]

June 9. Whitehall.

579. Order of the King in Council. On petition of the merchants and freighters of the ship Virgin, Edmond Cooke, Commander, setting forth that the ship was taken by the Spaniards in the West Indies, and that the loss thereby amounted to 12,000*l.*; that by order of this Board of 3rd July 1674 his Majesty's Ambassador was to solicit the Queen of Spain for satisfaction, which, if not obtained in 4 months then his Majesty would grant letters of reprisal, and that Edmond Cooke who went into Spain about this business has now attended at Madrid near 9 months without obtaining satisfaction; and therefore praying that he may be commanded home that petitioners may reap the benefit of said order of 3rd July. Ordered, that Edmond Cooke be called home to give account of the success of his solicitations; and that Mr. Sec. Coventry signify his Majesty's pleasure herein, as well to Edmond Cooke as to his Ambassador, that his Excellency may intimate the same to the ministers of that Court. 1 *p.* [*Col. Papers, Vol.* 34, *No.* 84.]

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June 9. Nevis.

580. Gov. W. Stapleton to (the Council for Plantations.) Hopes they have full satisfaction by the annexed papers in what they required in their commands of 27th Oct. 1674, with an addition of Acts and maps. His brother who presents them, and who in the writers' absence had command of Montserrat, goes home for recovery of his health, and can give some account of that island and its wants; he was there when Evertson and Binkes attacked it in the late war. Begs their remembrance of his former letters relating to the Government and to himself. *Annexed,*

580. 1. List of papers above mentioned, viz., Narrative of St. Christophers' and Nevis by John Hilton, old planter.
Narrative of St. Christophers by ancient inhabitants, with the articles betwixt the English and French at the taking or rather surprising of it contrary to old articles.
Maps of Nevis and Montserrat.
Acts of Nevis.
1 *p.* [*Col. Papers, Vol.* 34, *No.* 85.]

June 10. Exeter House.

581. Earl of Shaftesbury to his very affectionate friends the Governor and Council at Charles Town. They cannot be ignorant of the particular care his Lordship has taken of them and their settlement ever since they first sat down upon Ashley river, and how the rest of the Lord's Proprietors have been persuaded by the hopes he had that their expenses would not be endless. Last year when their expectations of returns grew weary, having received neither any beginning of payment nor any proposal how they might in time be reimbursed, his Lordship got them to consent to a new method of supplying them, and to enter into articles for a constant and regular supply, some part of which they then received. It was expected that they would have considered of some way of making returns, instead of which no scheme of payment has been proposed, and the Governor and the Agent have not so much as paid themselves out of it, but all has tended to an enlargement of their demands and the Lords Proprietors' expenses. The rest of the Lords Proprietors were at a stand and grew very backward to bury any more money amongst people who took so little care to satisfy them that they intended never to live of themselves. This dissatisfaction and the little leisure his Lordship has had since he came to town to debate the matter with their Lordships has made his ship return without any cargo on the Lords Proprietors' account. Hopes Sir Peter Colleton will soon be here, and he and his Lordship may be able to persuade the Lords Proprietors to send a further supply. If they will be so much friends to themselves as to lay down any rational way that will satisfy the Lords Proprietors that they mean to pay for the things sent to them, and not any longer to give cause to apprehend that for 90,000*l.* or 100,000*l.* the Lords Proprietors have purchased nothing but the charge of maintaining 500 or 600 people who expect to live upon their Lordships. Makes this fair proposal to them that if they and the people will undertake to pay what is

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owing from the Lords Proprietors to Col. West, and clear those debts contracted by themselves and charged upon their Lordships in Carolina and elsewhere, his Lordship doubts not but to prevail with the rest of the Lords Proprietors to forgive them all their debts to them, and as part satisfaction to Col. West to throw in their Lordships private plantation too that he hath hitherto managed and so put an end to the bargain made with him as the Lords Proprietors storekeeper and agent. Expect that the Governor will not be any charge to the Lords Proprietors. Will then take care nobody shall want supplies for the future who will pay for them at moderate rates. Thus they will see the Lords Proprietors expect no other improvement of the great sum they have "been out," but that the Planters there should wholly share the benefit of it amongst themselves, so the Lords Proprietors may at the rate of 9,000*l.* or 10,000*l.* put an end to their expenses. Takes very ill their treatment of his Lordship's agent, Andrew Percival. They know his Lordship's plantation at Edistoh was not to be under their government nor to be controlled by them in trade with the Indians, for they cannot think his Lordship so mad as to venture so considerable an estate under their government unless the Governors were richer, for it is as bad as a state of war for men that are in want to have the making of laws over men that have estates, therefore he must desire them to let his Lordship and his people alone. Has given Percival orders in all things to show all fair kindness and respect to them but to observe none of their commands, for his Lordship is resolved to be independent of their government for some years until they are become capable of putting our excellent model in some measure in practice by having more men of estates come amongst them. Beseeches them not to discourage or disoblige the best friend they have in the world which his lordship is sure he is. [*Shaftesbury Papers, Section IX., Bundle* 48, *No.* 55, *pp.* 154, 155.]

June 10. **582.** Commission from Anthony, Earl of Shaftesbury, to Andrew Percival, gent. Appointing him Register of Berkeley County and the parts adjoining (Carolina) during pleasure, until by the increase of people the parts adjoining shall be divided into other counties, and need a distinct registry to be erected in them. [*Col. Entry Bk., Vol. XX., p.* 103.]

June 10. **583.** Minutes of Council of Antigua. Ordered, that two clauses in the Act for extending lands and goods for debts and fines be amended, according to the terms herein stated. (*See* under date 23 August 1670.) ½ *p.* [*Col. Papers, Vol.* 25, *No.* 55*.]

June 11. Exeter House. **584.** Earl of Shaftesbury to his very affectionate friends the Governor and Council at Ashley River, Carolina. The bearer, Seth Sothell, a person of considerable estate in England, has intention to plant in Carolina, and take up a manor of 12,000 acres, which he doubts not to plant in a short time with people he will carry over from hence. Thinks he need not use many words to persuade them to use him kindly for their own interest, as well as civility will dispose them to it, since nothing can be more advantageous to

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the country, nor so much contribute to the growth and prosperity of the plantation as that men of estates should settle amongst them. They are therefore to set him out a manor of 12,000 acres, on condition that within 5 years he build a town in it of at least 30 houses, and have at least six score people upon it, said houses to be built and people to be brought one-fifth part every year. Pray treat this gentleman as my friend. [*Shaftesbury Papers, Section IX., Bundle* 48, *No.* 55, *p.* 156.]

June 11. **585.** Order of the King in Council referring to the Committee for Plantations the *enclosed*,—

585. I. Petition of William Harris to the King. Complains of the forcible entrance of John Harrud on his lands at Patuxet, and the danger he and his partners are in of being deprived of their right by Providence and Warwick, New Plymouth and two parties belonging to Massachusetts. Prays that the Governors of the four colonies may be ordered to take care that speedy justice be done by hearing the cause themselves, or appointing able men with an upright jury to hear it. [*Col. Entry Bks., Vol. LX., pp.* 38–41, *and Vol.* 96, *p.* 9.]

586. Petition of William Harris to the King. Has been a weary traveller for the space of almost forty years in the wilderness of New England; was one of the first Englishmen that purchased land of the most superior Indians in the Narragansett Bay, which is now part of the King's colony of Rhode Island. Enjoyed the possession of this land, called Patuxet, for a long time, until persons from Rhode Island, Massachusetts, and New Plymouth, under pretence of other purchases from Indians, entered on it. Has had against them suits in which the lands have been adjudged to him, but they continue to hold the land by force, some of them enter and void where the King's writ of Rhode Island runs not. Prays that power be granted to some known just men in New England to hear and determine these differences by special assize. 1 *p.* [*Col. Papers, Vol.* 34, *No.* 86.]

587. Petition of William Harris to the King. Describes the seizure of his lands, and how some years after the arbitration which had adjudged the lands to him some of his partners subjected themselves to the Massachusetts jurisdiction and demanded the land, the evidence that had been committed to them having been cut out and pieced together on another paper. Went to Boston, and there, through the plain honest dealing of the governor, Mr. Dudley, the demandant acknowledged petitioner's right. The demandants again laid claim to the said land by arbitration, and arbitrators from Rhode Island and Massachusetts awarded it to petitioner. Then the inhabitants of Warwick laid claim to part of his land, taking in his own house and his partners' lands by virtue of a pretended purchase from the Indians, and, refusing arbitration, made forcible entries thereon and resisted the constable

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and aid sent by the justices of the peace. One of the enterers, John Harrud, of Warwick, gave bond to answer the next Court, and the petitioner seeing delay sailed for England intending to supplicate the King, but found the Commissioners were going to New England. Notwithstanding various petitions, judgments, trials, and by reason of the partners' kindred, abettors, and adherents, petitioner has been kept out of his land for twelve years. Owing to the numerous parties of enterers he cannot begin suits against all or get execution of his verdict, and sees no likelihood of a competent jury to try the differences, and, because the King's writ of Rhode Island does not run into the other colonies, is unable of remedy except by the King's special commission. Prays that, without detriment to the former commission, a second be appointed. 4 *pp.* [*Col. Papers, Vol.* 34, *No.* 87.]

588. Statement of Harris's case. A, demandant, with his partners, purchases lands in New England of the most superior Indians. B, tenant by force, and his partners purchase some of the demandant's land of inferior Indians and enter by force. A complains of B's force and obtains judgment. B resists execution and keeps possession by force, and gets others who enter by force. A, seeing so many parties entered and one by abettors able to hold by force, concludes there must be a new remedy or none; petitions the King for power to be given to some persons in New England to hear and determine by a special assize. B may say that the King's power is in New England already, and not to be displaced by a complaint. A supposes the King grants power in England to some where his commission is before to hear and determine by special assize, so there is no detriment to the former commission; prays a resolution. 1 *p.* [*Col. Papers, Vol.* 34, *No.* 88.]

589. A similar statement, though much more in detail. 9 *pp.* [*Col. Papers, Vol.* 34, *No.* 89.]

June 14. Exeter House. **590.** Earl of Shaftesbury to his very affectionate friends the Governor and Council at Ashley river, Carolina. The bearer, John Smith, brings his wife and family and a considerable estate with intention to plant amongst them. How much the settlement of such men in Carolina will add to the reputation and trade of the country and benefit those already there. To be very civil and encourage him and others like him to be their neighbours, but besides must recommend him as his Lordship's particular friend. Believes he intends to take up a manor which they are desired to set out in some commodious place to any number of acres as prescribed in our fundamental constitutions, provided he people at the rate of 10 men for every 1,000 acres within five years, and bring over one-fifth of the number every year till the full number be completed. If they do what becomes them in these points doubts not but to see very speedily a very populous and thriving country. [*Shaftesbury Papers, Section IX., Bundle* 48, *No.* 55, *p.* 157.]

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June 16. **591.** Order of the King in Council. Referring petition of Robert Mann and others, touching the composition trade, to the

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Committee appointed for trade, who are also to hear what the Commissioners of Customs can say thereon, and then report to the King in Council what they think fit to be done. [*Col. Entry Bk., No.* 96, *p.* 9.]

June 17. **592.** Minutes of the Committee of Trade and Plantations. His Majesty, having dissolved the late Council for Trade and Plantations and committed what was under their management to a Committee of the Privy Council, a petition was read of Captain Ferdinando Gorges, agent for Col. Stapleton, Governor of St. Christopher's, presenting for his Majesty's consideration, that his Majesty has allowed to said Col. Stapleton 700*l.* per annum as Governor, and established two companies of foot in St. Christopher's, whose pay should be 2,778*l.* 10*s.* 8*d.* per annum, none of which has been paid since June 1671, whereby the soldiers are reduced to great necessities; and that the French King, having seldom less than six ships of war, has lately sent 10 companies of old soldiers into those parts, who are well clothed and duly paid, to the great grief of his Majesty's poor soldiers and planters, the consequences whereof, if not timely prevented, may be injurious to his Majesty's service and interest there. 2 *pp.* [*Col. Entry Bk., No. XLVI.*, 1, 2.]

June 17. **593.** Minutes of the Committee of Council for Trade and Plantations. Three letters read from Col. Stapleton to the Council of Plantations, dated from Nevis the 8th February, 17th March, and 30th April 1675 [*see ante, Nos.* 428, 469 and 544]. Mem.—That the inscription of the seal to be made for the Leeward Islands be, on the one side, "Carolus secundus Dei Gratia Magnæ Britaniæ Franciæ Hiberniæ, &c., Rex," and on the other side, "Sigilum Insularum Sancti Christophori, Montserrat, Antegoa, Nevis, &c." [*Col. Entry Bk., No. XLVI.*, 6–10.]

June 17. Whitehall. **594.** Minutes of the Committee of Trade and Plantations. Petition of Capt. Ferdinando Gorges, agent for Col. Stapleton, Governor of the Leeward Isles, read; the captain called in, as also Lieut. Greatbach, lately sent over from the Governor, and several of the Governor's letters read as to the condition of the two companies found by Privy Seals that the complement was to be 80 men in each, and the establishment 2,788*l.* 10*s.* 8*d.*, to commence the 24th June 1672, and that Col. Stapleton was to have 700*l.* per annum from the same time. Complaint made that neither he nor the soldiers have been paid one farthing. Ordered that Sir R. Southwell find out the establishment and compute what is due, that their Lordships may report the necessity of a supply and the settling of a fund for the future, without which they do not think that place in safety; after which they would move for recruits to be sent over to complete the companies. Ordered, that Col. Stapleton be furnished with a seal for the more authority of his proceedings, their Lordships esteeming his service of very good importance. The muster rolls but of two years brought over by Lieut. Greatbach. The report of the 9th June from the Council of Plantations read upon the Colonel's complaint of ill-dealing from M. de Baas, the

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French Governor, also a memorial lately presented by Sir Wm. Lockhart in France, and other papers relating to the hardships imposed on his Majesty's subjects for want of being restored to their possessions. Resolved to-morrow to inspect Sir Chas. Wheler's adjustment with M. de Baas, which appears to give great obstruction to the relief of the Planters, and how far by his commission he was empowered to such agreement, and how far the same conforms with the Articles of Breda. The want of compliance from the French the more to be wondered at because said report seems to give up many advantages to them. Ordered, that Sir R. Southwell enquire of Mr. Slingsby for a draft of a report much more suitable to the right of the Planters, which Capt. Gorges insinuated was prepared, but seemed too harsh for our intimate friendship with France. Mem.—Three letters read from Col. Stapleton to the Committee of 8th February, 17th March, and 30th April last. 2 *pp.* [*Col. Entry Bk., No. CIV.*, 25, 26.]

June 17. **595.** Report of Sir Robt. Southwell, Secretary, to the Committee of Council for Plantations, &c. Has in obedience to their Lordships commands enquired after the establishment which Sir Chas. Wheler carried over to St. Christopher's, but as yet cannot recover it; meantime it appears by two Privy Seals that Col. Stapleton's allowance was to commence on the 24th June 1672, which at the rate of 700*l.* per annum amounts to 2,100*l.* still due, and that the pay for two companies of 80 men in each commences the same day, and the Lieutenant having brought over muster rolls to the 24th June 1674, the pay due in that time amounts to 4,550*l.* 6*s.* 8*d.*; and it appears that Col. Stapleton has reckoned but for the men he has really mustered, for that sum would have been 1,005*l.* more for the full complement of 80 men; he has also made 14 musters, and the numbers vary as they diminished. Capt. Gorges has gone over the rolls and thinks he has computed right, but they are referred to Mr. Commissary Baines to examine and report. Has had the affirmation of the Lieutenant that the rates of pay per diem were as follows:—For a captain, 8*s.*, a lieutenant, 4*s.*, an ensign, 3*s.*, sergeant, 18*d.*, drummer and corporal, 12*d.*, and soldier, 8*d.*; and it is according to these rates that the two years' pay comes to 4,550*l.* 6*s.* 8*d.* *In margin*, "Report from Sir Robt. "Southwell concerning the establishment of two companies in "St. Christopher's." 2 *pp.* [*Col. Papers, Vol.* 34, *No.* 90.]

June 18. Whitehall. **596.** Minutes of the Committee of Trade and Plantations. Resolved, to report that there was due to Col. Stapleton for salary on the 24th instant 2,100*l.*, and that the pay for two companies to the 24th June 1674 came to 4,550*l.* 6*s.* 8*d.* by the muster rolls, which for more exact computation were to be sent to Commissary Baines, and had not the men decreased it would have amounted to 1,005*l.* more; to represent Col. Stapleton in a very good character to his Majesty for the 14 musters made in two years, and other reasons; and to report the necessity of dispatching a seal for that island, and to press his Majesty to order speedy payment of all said arrears and that a fund be settled for the future to supply

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these forces, reckoning that the defence of the place depends thereon, and that it will be necessary to hasten over recruits. Consideration of the ill-usage of the English Planters by the French, and several particular grievances and reports entered in the books of the late Council of Plantations read, and a full account given by Mr. Slingsby of the demands made by Sir William Lockhart in France, with a list of papers delivered to him, who could obtain no answer from the French Minister, but that they were busy preparing for the campaign, and would on their return speak more of the matter. Several papers mentioned in the said list read, as a narrative of the business of St. Christopher's, a report prepared by Mr. Slingsby but not agreed to as too warm for the friendship they were then in, and Lord Willoughby's narrative of the business of St. Christopher's. Ordered, that all said papers be put together, to extract a narrative and make report to his Majesty of the injustice of the French, and how earnest his Majesty ought to be for the reparation of the Planters; and that Sir R. Southwell attend Lord Arlington to know what advances had been made with Mr. Colbert in this affair, and whether any demands were presented to him, which could preclude his Majesty from insisting on more; which seemed not to be by the subsequent instructions given to Sir Wm. Lockhart. The Lords observe that whatever the English were obliged to, in the surrender of Nova Scotia and Acadia, they punctually complied with. 4 *pp.* [*Col. Entry Bk., No. CIV.*, 25–28.]

June 18. Whitehall.

597. Minutes of the Committee for Plantations. Having examined the state of particulars concerning the two companies of foot at St. Christopher's, their Lordships agree to report to his Majesty, which, with the Order in Council thereon, is as follows:— That having perused several letters from Col. Stapleton, Governor of the Leeward Islands, and examined several things which relate very much to his Majesty's service and the security of those islands, and the relief of many of his Majesty's subjects there who have suffered hardships from the French, their Lordships have at present to lay before his Majesty the very bad condition of the two companies of foot on St. Christopher's, which are wasted from their complement of 80 men in each to 49 and 54, and have not received any pay for three years, so that they are naked, and have only subsisted by the charity of the Planters, and the care of their Colonel, who is equally destitute of any supply for three years; and when they observe that the French forces there are well clothed and punctually paid, their Lordships think his Majesty's honour and the security of the place concerned in a present and effectual redress. In order to which they find, that by an establishment made at Sir Chas. Wheler's going over, the pay of those two companies amounted to 2,778*l.* 10*s.* 8*d.*, and Col. Strode received that sum by his order from his Majesty's exchequer, and the companies were paid from the 7th July 1671 to 7th July 1672, out of the sequestration and sale of Sir Chas. Wheler's estate, but whether in full is not before them; that on the 23rd September 1671, a Privy Seal was passed for a like sum to be paid to Col. Stapleton, but they do not

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observe any continuance of the payment; that having referred several muster rolls, sent over express by a Lieutenant, to Commissary Baines, they find that the pay from 7th July 1672 to 7th July 1674 amounts to 4,556*l.* 14*s.* 0*d.*, which is about 1,000*l.* short of the establishment for that time, because the companies have diminished; that by another Privy Seal the allowance of Col. Stapleton (who in all things appears to be a man of good conduct, valour and integrity, and very deserving his Majesty's favour and encouragement) was 700*l.* a year, and that on the 24th inst., there will be due to him 2,100*l.*; and their Lordships think it of absolute necessity, that not only said sums amounting to 6,656*l.* 14*s.* 0*d.* be immediately paid to the agent, Capt. Gorges, but that a fund be settled for a constant supply in the future; also that recruits be sent over to complete said companies. And their Lordships further offer that a Seal for the said island be sent over, seeing the former one is said to be lost. His Majesty having approved said report, ordered that the Lord Treasurer take effectual care for a speedy discharge of the present debt, and settle a way for the subsistence of the said Governor and companies for the future, according to the establishment; which when settled, his Majesty will cause recruits to be sent over to fill up said companies according to said establishment of 80 men in each company. 3½ *pp.* [*Col. Papers, Vol.* 34, *No.* 91; *also Col. Entry Bk., No. XLVI.*, 3–6.]

June 18. **598.** Report of Commissary J. Baynes to the Committee of Council for Plantations, concerning the pay due for two years to the officers and soldiers of Col. Stapleton's and Capt. Abednego Matthews's Companies of foot in St. Christopher's. In obedience to their Lordship's commands, signified by Sir Robt. Southwell, he has examined the muster rolls of said Companies from 7th July 1672 to 7th July 1674, and finds the pay, details of which are given, of the Colonel's Company amounts to 2,232*l.* 17*s.* 4*d.*, the Captain's Company to 2,323*l.* 16*s.* 8*d.*, or 4,556*l.* 14*s.* 0*d.*, in all. 2 *pp.* [*Col. Papers, Vol.* 34, *No.* 92.]

June 19. Whitehall. **599.** Warrant to the Attorney General. To prepare a Bill for the King's signature to pass the Great Seal containing a grant to Thomas Lord Culpeper of the office of Governor of Virginia during life immediately after the death, surrender, or forfeiture of Sir William Berkeley the present Governor with the salary of 1,000*l.* per annum paid quarterly out of the monies raised there for support of the Government. 1½ *pp.* [*Col. Entry Bk., Vol.* 110, *pp.* 68, 69.]

June 19. **600.** Ro. Howard to (Sir R. Southwell, Secretary to the Council for Plantations). Sends inclosed copy of an Establishment affixed to Sir Chas. Wheler's Privy Seal, there is no commencement in the original or Privy Seal. *Encloses,*

600. I. An establishment of the pay of the two companies of foot consisting of 80 soldiers each, besides a Captain, Lieutenant, Ensign, two sergeants, three corporals, and two drummers, amounting per annum to 2,778*l.* 10*s.* 8*d.* *Together*, 2 *pp.* [*Col. Papers, Vol.* 34, *Nos.* 93, 94.]

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601. Sec. Coventry to Sir Jonathan Atkins, Gov. of Barbadoes. Has received his of the 17–27th February with account of receipt of his Majesty's orders for returning some Indians to their native country that had been brought away against their will, and of that barbarous murder or rather massacre committed by Col. Philip Warner and his confederates upon Thomas Warner and his company with which his Majesty is highly offended, and commands that a speedy and exemplary justice should be done upon the person guilty of this inhuman act, and his Majesty's pleasure is that the Governor effectually takes order that the offenders be proceeded against according to law and give such an account as his justice may appear to have been vindicated and the innocent blood that hath been so barbarously spilt fully avenged. And since there is reason to believe that the Windward Indians may have been much alienated from the English by this action, his Majesty leaves it to the Governor to give that people some signal and public demonstration of his justice upon the authors by sending them some heads and by some other proper way which he shall think fit that they may be satisfied of the detestation his Majesty and the whole nation hath of this proceeding of Col. Warner's, and how ready his Majesty will be to punish severely any of his subjects that shall infringe the good understanding he desires to have preserved between them and his subjects. 2 *pp.* [*Col. Entry Bk., Vol.* 110, *pp.* 70, 71.]

[June 23.] **602.** Petition of Francis Moryson, Thomas Ludwell, and Robert Smith, Agents from the Grand Assembly of the Governor, Council, and Burgesses of Virginia, in behalf of themselves and all others the Planters, Inhabitants, and Proprietors of your Majesty's Colony or Plantation of Virginia and the Territory of Accomack, to the King. Praying, for the reasons therein given, for a grant of Letters Patent for the incorporation of said Colony with the privileges and benefits particularly mentioned in a paper annexed containing the heads thereof. *Two copies,* one of which is endorsed, "Rec^{d}. and read, June 23, 1673 [? mistake for 1675]." *Annexed,*

602. I. Heads which we are commanded by our Instructions to present unto his Majesty and humbly to petition him that by his gracious concession they may be drawn up into a Charter for Virginia, having reference to the purchase of lands contained in the Northern grant between the rivers of Rappahannock and Patocomeck to the Earl of St. Albans, &c. *Signed by* Francis Moryson, Thos. Ludwell, and Robt. Smith. "Rec^{d}. June 23. Read June 23, 1675." 1 *p. Three copies. Together, five papers.* [*Col. Papers, Vol.* 34, *No.* 95–99.]

[June 23.] **603.** Another copy of the above Petition with this prefatory remark, "His Majesty having been pleased to dissolve and extinguish "the late Council of Trade and Foreign Plantations, and to commit "what was under their inspection and management to a Committee "of the Privy Council appointed for matters relating to Foreign "trade and plantations, their Lordships, on 19 October 1675, take

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"into their consideration the business of Virginia in reference to a "Charter of Incorporation concerning which application had been "lately made unto his Majesty by petition as followeth." [*Col. Entry Bk., No. LXXX., pp.* 33–38.] *Annexed,*—

603. I. Order in Council referring said Petition and the heads annexed to the Attorney and Solicitor-General for their report. [*Col. Papers, Vol.* 34, *No.* 100.]

603. II. Copy of preceding with memorandum, "It is this day "ordered by His Majesty in Council that the Right Hon. "Henry, Earl of St. Albans, be added to the Committee of "Plantations." [*Col. Entry Bks., Vol. LXXX., p.* 39; *and Vol. XCVI., p.* 11.]

[June 23.] **604.** Reasons to be given to His Majesty's Ministers of State whereby they may more fully understand the past and present state of the Colony of Virginia and what our motives are and how pressing the necessities which caused the Assembly of that Government to send us their agents into England to pray that His Majesty would be graciously pleased to remove the present pressures and grant them such future security of their rights, properties, and privileges as might keep them immediately and immovably dependent on the Crown safe from the like invasions. "Received, June 23. Read, June 23, 1675." *Signed by* Francis Moryson, Tho. Ludwell, and Robt. Smith. 2 *pp.* [*Col. Papers, Vol.* 34, *No.* 101.]

June 23. **605.** Another copy of the above, but without the signature of Robt. Smith. [*Col. Papers, Vol.* 34, *No.* 102.]

[June 24.] **606.** Petition of Thomas Delavall to the Duke of York. Was prevailed upon by Col. Nicholls, his Royal Highness's Governor, to quit his employment of Surveyor-General of his Majesty's Customs in England under the then Farmers worth to him about 500*l.* per annum, and to go over to New York to audit his Royal Highness's revenues with a salary of 200*l.* per annum, of which he has not yet received one penny. Continued in that employment ten years till the capture of New York by the Dutch, lost an estate of about 6,000*l.*; was made a prisoner of war five months and carried into Spain for no other reason than that he was found to be his Royal Highness's servant. By the loss sustained, want of salary (2,000*l.*) and the reimbursement of 1,400*l.* (paid by him for the relief of the soldiers out of his own estate) his credit as a merchant is greatly impaired and himself brought within the prospect of ruin. Prays for an allowance of the 2,000*l.* salary. With reference by the Duke of York to his Committee of Revenue. 1 *p.* [*Col. Entry Bk., Vol.* 70, *p.* 18 B.]

June. (Virginia.) **607.** The public account of the 2*s.* per hogshead import [upon tobacco] in Virginia. *Endorsed* "Rec^{d}. from Mr. Secretary Coventry on 19 July 1677." Passed in the Assembly, June 1676. *Another* Certified Copy by Robert Beverley is dated April 23, 1677. 2 *pp.* [*Col. Papers, Vol.* 34, *No.* 103; *see also Col. Entry Book, No.* 80, *pp.* 165-167.]

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June 24. Whitehall.

608. Minutes of the Committee of Trade and Plantations. Report of Sir R. Southwell about St. Christopher's, viz., that he had waited on the Lord Chamberlain for an account of what had passed between him and M. Colbert, the French Ambassador, and his Lordship said he presented M. Colbert with the Report of the Council of Plantations of the 9th June 1673, but could never receive any answer though he frequently and urgently pressed for it, which made him give Sir Wm. Lockhart a very punctual instruction (which he desired their Lordships to inspect) to be watchful in this affair, from the vast ill-consequences that might happen from neglect thereof. He agreed that that Report was very moderate and probably far short of what ought to have been demanded, but it was entirely calculated to the condition of things in that time, which had been so disordered by what Sir Chas Wheler had done that it was concluded his agreement had given away all, so that what they were to ask of the French was but in courtesy and only hoping for compliance out of their friendship; so that if it appear to their Lordships that what Sir Chas. Wheler then did with M. de Baas was not conclusive, neither ought that Report to limit his Majesty's demands, so that the issue of this matter will depend wholly on the validity of Sir Chas. Wheler's agreement. Ordered, that Sir R. Southwell inquire of Sir Chas. Wheler if anything he did at St. Christopher's precludes his Majesty from insisting on the points urged in the last memorial prepared by Mr. Slingsby, since the memorial of June 1673 seems not to challenge the whole benefit afforded by the Articles of Breda. The Lords do not think his Majesty precluded by anything so done, since by his proclamation he disavows all, but only to know if the French are enabled by any justice or advantage in those proceedings to say we are precluded. And to know why Sir Chas. would admit in the Instrument signed to him by M. de Baas an additional clause to what he himself signed. Ordered, that inquiry be made at Sec. Williamson's Office for the Instructions given to Sir W. Lockhart in this matter, and to know if M. Colbert ever gave in any answer in the business. 2 *pp.* [*Col. Entry Bk., No. CIV.*, 29–30.]

June 25.

609. Minutes of the Council for Trade and Plantations. Their Lordships having proceeded to consider the hardships of the English Planters at St. Kitts, and the great complaints of their ill-usage by the French, order Sir Robt. Southwell to attend Lord Arlington to know what advances had been made with Mons. Colbert, the French Ambassador, in this affair, whereupon Sir Robert Southwell made report to the Council. 2 *pp.* [*Col. Entry Bk., No. XLVI.*, 11, 12.]

June 25. Paramaribo, Surinam.

610. Edw. Cranfield, Ri. Dickenson, and Marcus Brandt, to Sir Robt. Southwell. On 29th May they made Cape Orange a little to the east of Cyan, and 3rd June anchored at the river's mouth; on the 4th, Messrs. Cranfield and Brandt went ashore to deliver all the letters to the Governor, who received them civilly, published the orders from the States General, both in English and

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Dutch, the next day, and granted them liberty to go and confer with any of his Majesty's subjects; whereupon they separated and communicated their errand to the Planters, which they accomplished by the 9th instant, when the Hunter and hired ships arrived at Paramaribo. On the 10th they all met at the Governor's to agree a time and place of meeting to settle all things, viz., the 30th June/10th July, at Paramaribo. Cannot till that Court be over send a particular list of the Planters and slaves that go off, but guess about 200 whites and 800 slaves, all of whom (except two or three) are resolved to go directly for Jamaica, and unwilling to touch at any other place, which they were obliged to promise, else they had not carried off five families, those remaining will be very inconsiderable. So soon as all things shall be settled will send a more particular account by Capt. Dickenson, who has orders to sail within a fortnight. 2 *pp.* [*Col. Papers, Vol.* 34, *No.* 104.]

June 25. Paramaribo. **611.** Copy of preceding, addressed to Sec. Sir Joseph Williamson. *Endorsed,* "R. 29 Aug." 2 *pp.* [*Col. Papers, Vol.* 34, *No.* 105; *see also Col. Entry Bk., No. LXXVIII.*, 95–97.]

June. Whitehall. **612.** The King to Sir Jonathan Atkins, Governor of Barbadoes. His Majesty has thought fit for the encouragement and increase of the fishing trade at Newfoundland to require the Commander of the Convoy frigate to warn his subjects dwelling in Newfoundland to remove from thence, and either to return into this kingdom or betake themselves to any other of his Majesty's plantations. Governor Atkins is hereby ordered, in case any of his Majesty's subjects shall upon such warning leave Newfoundland and transport themselves to Barbadoes, to settle with their families and estates, to receive them with favour, and afford them all convenient assistance. *Draft.* 1 *p.* [*Col. Papers, Vol* 34, *No.* 106.]

June. Whitehall. **613.** Copy of preceding. *Endorsed,* "Draft of a letter to the respective Govrs. of the Plantations about the Newfoundlandmen." 1 *p.* [*Col. Papers, Vol.* 34, *No.* 107.]

June 29—July 6. Boston. **614.** Benjamin Batten to Sir Thomas Allin, at the Navy Office per Mr. Hull. Account of the Indian insurrection, fearing he might have had a misreport. June 21st, Heard from Plymouth, 50 miles distant, that Philip, the Indian sagamore of those parts, had retired with 600 armed men to a place difficult of access, because of a thick swamp and rocks, a promontory called by the English Mounthope, in sight of Rhode Island and 40 miles distant from Boston; the reason not known, but he hath always been of a subtle mutinous temper, and about three years since was ready to engage with them of Plymouth for pretended trespasses on his lands, but the quarrel was mediated by Boston, he making them satisfaction for their trouble; about five months since some of his Indians murdering an Indian who had been faithful and serviceable to the English, Philip being deemed accessory was tried for his

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life, being subject to their law; on the trial two Indians were executed and Philip cleared, by which (they being his chief men) probably he was enraged; other reasons they do not know. 22nd, Heard that they of Plymouth had fitted out 150 men-in-arms to go against him. 23rd, They of Plymouth send for aid, whereupon a council was called the next day, and three plenipotentiaries with three attendants sent to Philip to compose differences if possible, and another to the adjacent sachems to forewarn them from joining with him, which, it was understood, they were too prone to do. 24th, Heard that the Indians had killed an Englishman, and rifled several farms and farmhouses of cattle and goods. 25th, Heard of further damages to the English in body and goods, that the Indians increased and had offered to join battle, but the English dared not venture till more help came from Boston. 26th, Sent in the morning about 100 horse under Captain Prentice, and 100 foot under Captain Hinchman, with four field pieces; the plenipotentiaries returned without effecting anything, as Philip would not speak with them; they had met in their journey with the bodies of some English without heads, for that is their barbarous way of triumph; upon which they beat up for volunteers, and had about 120 by that night, mostly Jamaica privateers, under Captain Samuel Morley; it was forbidden, under a penalty of 10*l.*, for an Englishman to entertain an Indian in the town, and on sight to apprehend him; that night there was a great eclipse of the moon. 27th, Sunday, In the afternoon two posts brought news that 16 English were killed in skirmishing, and 7 Indians, that the English had sent 30 horse to Swansea, a town near, with a cart for provisions, of which only one single horse returned wounded, that died immediately; this put them upon raising a greater force; they were also advised that 14 houses near Swansea were burnt. They hear and have reason to suspect that this is a general insurrection intended among the Indians, who may be much more in number than the English, but have neither policy nor conduct, nor provided with arms and provisions for any long time, so that they hope soon to hear of their final defeat, which might be found strange in another, that they look upon them as an inconsiderate people; otherwise they might send far greater force, though what has been done will put the country to great charge, all sorts of grain being near doubled in price since last year, what with a bad year, and their supplying Virginia in their necessity, and this year not promising much if husbandry be neglected will make great scarcity. 28th, Post informed them that the 30 troopers were still wanting, and that the Indians had burnt 20 houses, but would lessen the former account of English that were killed, and that there were 300 of the English of Plymouth and Rhode Island beside their forces which had just got up to them. Sent a brigantine and barque to intercept the Indians by water, and a troop of horse under Captain Page, and the new made General Saveridge went Commander-in-Chief. 29th, A day of fasting and humiliation, had no post. 30th, Had a post, informing them that their forces had engaged the Indians on the 28th in the morning, that they had beaten them back, and had taken some of their pro-

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visions, and had lost only one man, but had several dangerously wounded, and know not certainly of any Indians killed; provisions prohibited to be sent out of the colony; hear that they of Rhode Island had nearly sent 100 quakers, men well appointed with carnal weapons, to fight against the infidels, most of them on Rhode Island being such, that the 30 troopers had returned; a countryman coming to town had his horse shot under him on this side Blackstones river, but mounted a spare horse that he led, but never saw him that did it, which way of their skulking gives them an advantage. July 1st, Heard from Plymouth, where Governor Winslow keeps with a small guard of English and Indians, but little news, save the execution of an Indian spy, whose head was placed at the Governor's door. No news from Mounthope, which is about 54 miles from them, and the neck of land is 14 miles long and 5 or 6 broad, the farthest part of the neck reaching within a mile or two of Rhode Island; do not know the number or the fortification of the Indians, have sent some hand grenades, but great guns and dogs will do the best service, both which being a terror to them. 2nd, No post, fear it is cut off on the road. 3rd, Post arrived from Mounthope with news that the English got to the farthest point but found no fort, found parcels of 10 Indians together, suppose Philip is gone off, lost only one more, and several wounded, took 6 English heads and hands. Proclaimed it death for any English to sell arms or ammunition to Indians; sent a party of horse to demand the arms of another bordering sachem, who is suspected, called Ninicraft, which if he refuses the army is to fall upon him. The land already gained is worth 10,000*l.*, on the point aforesaid. Finishes the account in a letter dated 6th July 1675. July 4th, Sunday, Had a post from Mounthope, giving an account of one of their men killed, and 3 or 4 wounded, but little damage done to the enemy; a horse was taken, supposed to be Philip's, who they think is gone off the neck; their fears increase that other Indians are concerned; saw an account of 5 English killed in and near Taunton. 5th, No post, and nothing but flying reports. 6th, News that their men had searched Mounthope, but cannot find the Indians, and fear they are dispersed, which will much annoy the out plantations. Had 61 Indians of those that are privileged and taught the scripture, who came to town with arms and an English trader, leaving their wives and children as pledges for their fidelity, and marched that night towards the camp, being promised an Indian matchcoat for every head, and two for every live Indian; a small party of horse went to Plymouth for the Governor's better guard. *Endorsed*, "The rising of the Indians." 5 *pp., with seal.* [*Col. Papers, Vol.* 34, *No.* 108.]

July 1. Whitehall. **615.** Minutes of the Committee of Trade and Plantations, St. Christopher's. Report of Sir R. Southwell that, having asked Sir Chas. Wheler whether anything he did with M. de Baas obstructs his Majesty from demanding justice from the French King for the Planters of St. Christopher's agreeable to the Articles of Breda, he answered that there is not any part of any Article

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relating to St. Christopher's that he did not demand of M de Baas, and can show his demand in writing, and M. de Baas answers that he obtained many of those points, and for those he could not obtain brought M. de Baas to sign an instrument referring them back to the two Kings, which instrument Sir Charles can produce; and that he insisted on some things for the advantage of the English which were omitted from the Articles of Breda. Ordered, that Sir Charles read over the memorial approved by their Lordships, and make such amendments as he conceives fit for preventing any objections from France. 1 *pp.* [*Col. Entry Books, No. CIV.*, 31; *and No. XLVI.*, 13.]

July 1. Barbadoes. **616.** Sir Jonathan Atkins to Sec. Sir Joseph Williamson. The trial over it is fit he should give some account of Lord Sunderland's business. There were never better juries empannelled than this sessions, and many witnesses were heard for the King, who gave evidence that Bridges, the constable, presently after 9 o'clock, the fish market not ended and most of the shops open by reason it was market day, called out his watch, and hearing some gentlemen come singing along the street went hastily down the street to meet them, and asked why they kept such a noise; some replied we keep no noise, but are going to our lodgings, and said good night and parted; but hearing them singing again, which he took for an affront, and having a pique against Mr. Mayon, whom he had said he would put in the cage, the constable, with his watch, warned them, and with his staff struck 3 or 5 times upon them, saying nothing to them, but calling on his watch to seize Mayon; he lighted on Mr. James Colleton, whose head he broke in two places, and one swore he saw Colleton's blood on the staff, and heard him say, "Flesh and blood is not able to endure this," and he drew his sword and passed it into the body of the constable, who cried out, "This is fine; I am killed." The evidence was that the others made no resistance, the truth might easily be discerned, the streets were full of people, and it was a bright moonshine night. On the whole the jury found them not guilty of murder, and, if Mr. Colleton had stood his trial, it is believed it would have been found he had done it in his own defence. The country were well satisfied with the verdict, blaming much the imprudence of the constable and his illegal executing his office. Is informed that, to prevent all accident, they had procured the King's pardon, but has not yet seen it. Dictated this with much pain, having for 10 days laboured under the torment of an impostume in the thigh, in which he thinks there can be no greater anguish. Had it lanced yesterday, and hopes it may conduce to his future health, for so they repute it here. *Endorsed*, "R., 17 Aug." 1½ *pp.* [*Col. Papers, Vol.* 34, *No.* 109.]

July 6–8. **617.** Minutes of the Council of Barbadoes. An Act for Settlement of the Militia passed without the clause for appointing a Muster Master, and again laid before his Excellency and Council.

July 7. Ordered, that the Treasurer pay out of the Excise on Liquors to Mrs. Elizabeth Egginton 50*l.* for rent of her houses for his Excel-

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lency's use the last 6 months. Resolved, on debate of the presentments of the Grand Jury at the last General Sessions, to prepare an Act to restrain the too frequent wanderings and meetings of negroes, and punish crimes, insolencies, and outrages committed by them. Ordered, that an Act be drawn to prevent the running away of Christian servants, and their getting off by the negligence of such as keep boats and other vessels.

July 8. Ordered, in regard to the present low value of sugar, that it be referred to the Treasurer to deal as well as he can for the public as to the rate at which to pay Col. John Stanfast the rent of Fontabel plantation leased by his Excellency. An Act for reviving the Commissioners of Public Accounts passed. Ordered, that the Treasurer pay out of the Excise on Liquors 5,000 lbs. of sugar to Nicholas Gammage for his pains in contriving an advantageous way of hanging coppers to the general good; 5,000 lbs. of sugar to Thomas Rawlins, gunner of the forts and platforms at Austin's Bay, for his salary for one year; also 3,000 lbs. to William Bragg, gunner of the new battery; 5,000 lbs. to Thomas Larcombe, gunner of Willoughby's Fort; 10,000 lbs. to John Higinbotham, Clerk of the Assembly; and 1,500 lbs. to Joseph Mithers, the Assembly's Marshall, all for salary. An Act to give encouragement to all persons to take up runaway Christian servants, and requiring security from such as keep boats, passed and ordered, together with a supplemental Act to a former Act for the better governing of negroes, to be transcribed against next sitting of the Assembly. Adjourned to Wednesday 3 weeks. 4½ *pp.* [*Col. Entry Bk., No. XIII.*, 184–188.]

July 7. **618.** Sir Chas. Wheler to the Committee of Council for Trade and Plantations. Has, in obedience to their commands, given Sir R. Southwell the best information he can for preparing their Lordship's paper for the King. Offers also some papers of his own which passed between M. de Baas and himself containing his demands under every article of the treaty, and the reasons, with M. de Baas' reasons, for refusing them. Suppose they may be useful, for when the King shall press the French King for reparations, it is likely his Ministers will send back the reasons M. de Baas remitted, and his own replies, which were from eye witnesses of the wrongs and injuries done. Has yet a further end, viz., to represent the state of the English part of St. Christopher's, because although the French King should fully satisfy His Majesty's demands now made (which Sir Charles believes he will not), yet his Majesty's part of St. Christopher's will be lost whenever the French attempt to take it. Will therefore endeavour to propose the means of making it capable to defend itself till it may be relieved from his Majesty's other Windward islands. It is a great mistake to hope that those 2,000 English who bore arms when the French overcame them will return to their respective plantations, because they are settled better elsewhere. The present strength of the island is only a fort at Sandy Point and a fort at the English Road, with 20 cannon mounted, and defended by the two companies of foot, which should consist of 160 Englishmen,

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but is informed are not effectively above 70. The militia, that is planters and servants formed into one regiment, whereof about half is on either side of the island, may consist of about 600 men, whereof 150 may be French and Dutch who have purchased English estates, and 150 Irish; and by the French and Irish the King is so much weaker, for in any war the French would revolt, and the Irish betray the English as in the first war. The strength of the French is their castle, a platform at Basseterre, on which many cannon are mounted, and a little fort at Sandy Point, defended also by two companies of foot; their militia, formed into two regiments, one in Basseterre and the other in Sandy Point quarter, may consist of about 1,600 musketeers, and 200 of their best planters on horseback, whereof several are of good families in France. The French Governor of St. Christopher's is M. St. Laurence, a Knight of Malta, and of great courage, and the Lt.-Genl., M. de Baas, a man well experienced in the wars; while the King's Governor is Capt. Mathews, who never saw any action in his life, and his Lt.-Genl., Col. Stapleton, as little; yet for all this odds his Majesty's part of St. Christopher's may be reasonably secured and defended and the French utterly overthrown there (and in all other their islands except Martinico) in case of war. Proposes that 2 companies of 100 in each be new raised from Barbadoes, Antigua, and Nevis; that the forts at Sandy Point and English Road be well repaired, and defended by one of the companies; that a house, to be defended by the other company, be built for the Lieutenant-General on the windward side of the island, and he obliged to live there; that a yearly expense be bestowed to keep the way passable through the mountains; and that some gentlemen be commissionated to muster the companies, and be answerable that they be always recruited with English and not Irish; to see the disbursements made for the repair of the way through the mountains and of the forts; and to dispose the English soldiers now remaining of the two companies into convenient plantations, providing each with two servants, and wood from Antigua towards the building of his house, which help, with the arrears of his pay, will make him a substantial planter, making a considerable addition to the militia of the country. The forts at Sandy Point and English Road and the Governor's House can hardly be taken by the French, because no cannon can be brought against them, but with such difficulty that in the meantime relief may be had from Nevis, which can send down 1,000 musketeers in 3 hours; and if the war be of such length that M. de Baas should bring from Martinico and Guadaloupe 1,000 musketeers, which is near all their strength, the King shall gain all the French islands if the Governor of Barbadoes take the opportunity to make a descent on Guadaloupe. Computes that 3,000*l.*, with the help the country will contribute of hands to work, will largely repair the forts, build the Governor's house, and put in order the highway through the mountains; for the levy money and transportation of two companies, 400*l.*; about 100 servants for the soldiers to be made planters, about 1,000*l.*; timber for their houses about 200*l.*; and the establishment of the two companies yearly

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and repair of the way, 3,400*l.*: computes this to be only for 3 years, in which time the Commissioners, having settled 40 or 50 soldiers every year in plantations, the militia will be strong enough to keep the forts as formerly in times of peace, and reckoning 600*l.* per annum to buy servants and timber for these soldiers, the expense for the first year will be about 8,600*l.*, and for the two years following 4,000*l.* per annum, to defray which his Majesty will receive for the 4½ per cent. from Barbadoes and the Leeward Islands about 5,700*l.* per annum; but this revenue is now anticipated for 4 or 5 years by tallies struck for soldiers' pay and other disbursements of war for those Islands. If this be too great an expense, the next best is that the little fort at Sandy Point be slighted and a new one of good strength raised at the English Road and all the cannon mounted there, and 30 soldiers in garrison with no other officers than 2 sergeants, which comes to about 420*l.* per annum; and that special care be taken that on any danger of war all the English retreat under protection of said fort till relief be sent them. This will secure the King's interest, although expose his subjects' plantations to fire and other spoils of war. About 2,000*l.*, with the help of the country, would raise this fort and repair the way through the mountains. The Lieutenant-General, who now lives at Nevis, should be obliged always to live on St. Christopher's, which will be a great means to replant it, and bring much business of the other islands. 4 *pp.* [*Col. Papers, Vol.* 34, *No.* 110.]

July 7. **619.** Copy of preceding. 7 *pp.* [*Col. Papers, Vol.* 34, *No.* 111.]

July 8. Whitehall. **620.** Minutes of the Committee of Trade and Plantations. St. Christopher's. Sir Chas. Wheler's amendments to the draft of a memorial read in part, and being demanded if his Majesty were still at liberty to insist on the advantage of the Treaty of Breda, he referred himself to his answer of July 1 (*see ante, No.* 615), and told the Lords if they had not copies of his proceedings with M. de Baas he would furnish them. Resolved to have the whole matter seriously considered. The reading of the [above] letter from Sir Charles, of the 7th instant, setting forth a method of his own for the demand of reparation, and a method for the security and preservation of the island, put off. ½ *p.* [*Col. Entry Bk., No. CIV.*, 32]

July 8. **621.** Sir Chas. Wheler to Sir R. Southwell, Secretary to the Committee of Council for Plantations. Begs pardon for his absence the next day the Council shall meet on the affairs of St. Christopher's, having engaged himself in some business in the country before receiving his summons; but Mr. Prescott will attend their Lordships with his papers, and Sir Robert may take copies or abstracts of any that may throw light on the pretended reasons of the French Lieutenant-General to obstruct the execution of the Articles of Breda, not doubting that he took notice of their Lordships' order to use them only and give them back. Mr. Prescott will keep them safe for Sir Charles. "Rec^{d}., 12 July." 1 *p.* [*Col. Papers, Vol.* 34, *No.* 112.]

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July 11. Surinam. **622.** Edward Cranfield and Marcus Brandt to Sec. Sir Joseph Williamson. Sailed out of the Downs, 6th April with H.M.S. Hunter and the Hercules and America; anchored 8th in Torbay; on the 12th sailed towards Madeira where they arrived on the 27th, but the Governor denying them "produck" unless they would enter the king's ship as a merchantman they sailed for Surinam; on 14th May met two ships bound for Barbadoes by whom they wrote to the Secretaries of State; on 29th made Cape Orange, about 80 leagues from Surinam River, where they arrived June 2nd. It was concluded not to adventure over the Bar till the rise of the spring tides, so they dispatched a boat to the Governor with notice of their arrival, who, by return, sent a pilot with invitations to come ashore. Delivered all letters on the 4th, and took the Governor's receipt, who received them with extraordinary civility at Paramaribo, where the Advice boat rode, which arrived 28th March, but the Captain died before she was clear of the Channel; the next day the State's Order was published in English and Dutch in Paramaribo and Tororica, and notice given that on 30 June/10 July the Governor and two of his Council would sit with his Majesty's Commissioner at Paramaribo to determine all matters directed by those orders. In four days all matters were brought to a final determination according to justice, and the Governor gave satisfaction for the cattle and provisions taken in time of war, and anything else that appeared due, and execution to issue in three days against the stayers if payment be not made to his Majesty's subjects according to sentence. Were obliged to promise them all transportation direct to Jamaica, else three families would not have removed; and such a supply may conduce more to the advantage of that place than four times the number from Europe, both in respect of their seasoned constitutions and great experience in planting, most having been at it these twenty years. All things being amicably accommodated, and compliance given to all demands, except the detention of two or three orphans left particularly to the care of the Governor and Council, who will give reasons upon the refusal, and all things finally determined between party and party, they thought it their duty to render a particular account by the Hunter having no further service for her here; and have also given notice to his Majesty's subjects that at the next full moon they intend to sail direct for Jamaica, whence Sec. Williamson shall have a further account. *Endorsed*, "R. Sept. 19" *&c.* 2½ *pp.* [*Col. Papers, Vol.* 34, *No.* 113.]

July 11. **623.** Duplicate of the preceding. *Endorsed*, "Rec^{d}. this by the Rainbow of Flushing who arrived at Plymouth, 8 Oct. 1675 and sent away the same day your very humble servant William Jennens. R., 11 Oct. 1675." [*Col. Papers, Vol.* 34, *No.* 114.]

July 11. Surinam. **624.** Edw. Cranfield and Marcus Brandt to Sec. Williamson. Since closing their letters, have occasion to add that the Jews having demanded transportation with his Majesty's subjects, the Governor told them his orders were to suffer only the English to go, and that the 5th Article of the last treaty mentioned only

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English in the Dutch translation; but finding that the Latin original was subjects, the Governor complied and made publication that the Hebrew nation might depart, but since a ship from Holland (as the Governor pretends) brought orders for stopping them, but finds this a pretence. Understanding the Mayor of the garrison had been all over the country to take a list of the Dutch, took occasion to pump him and found they were but 130, besides the garrison of about 140; and finding the Jews to be as considerable for number and fortune, and that more had given in their names to depart than the Governor expected, the Governor wholly altered his resolution of suffering them to go, believing it would be an immediate destruction to the place. *Endorsed*, "R., 11 Oct. 1675," &c. 1 *p.* [*Col. Papers, Vol.* 34, *No.* 115.]

July 12. Surinam. **625.** Edw. Cranfield and Marcus Brandt to Sir R. Southwell. Duplicate of their letter to Sir J. Williamson (*see preceding No.*). 2 *pp.* [*Col. Papers, Vol.* 34, *No.* 116; *also Col. Entry Bk., No. LXXVIII., pp.* 97–100.]

July 14. **626.** Order of the King in Council. On reading petition of the merchants and freighters of the ship Virgin, setting forth their proceedings to obtain satisfaction for their losses by her capture by the Spaniards in the West Indies, amounting to 15,000*l.*, which Capt. Cooke had been soliciting at great expense above nine months, being more than double the time limited by his Majesty, and yet could not obtain any other answer than a despatch sent to the Havana, which had not the least prospect of satisfaction, and therefore praying letters of reprisal according to the order of 3rd July 1674; ordered, that copy of this petition and of said despatch be delivered to Sec. Coventry, who is to acquaint Don Pedro Romquillos, Envoy Extraordinary of the King of Spain, therewith, and that if satisfaction be not forthwith given his subjects his Majesty can no longer deny them letters of reprisal. 1 *p.* [*Col. Papers, Vol.* 34, *No.* 117.]

July 18. Whitehall. **627.** Sec. Sir Joseph Williamson to Lord Vaughan, Governor of Jamaica. In execution of the last Article of the Treaty Marine of 1st December 1674 with the States General, his Majesty has commanded him to transmit the enclosed authentic copy that it may be punctually observed by all his subjects. *With Latin copy of the Treaty, attested by Secretary Williamson.* ½ *p.* [*Col. Entry Bk., No. XCIII.*, 139.]

July 24. Bristol frigate, in St. John's Harbour, Newfoundland. **628.** Sir John Berry to (Sec. Sir Joseph Williamson). Arrived 11th instant in St. John's Harbour and found H.M.S. Swann with 40 ships, the greatest part bound to a market. Has sent two able persons as far as Capes Bonavista and de Race to call in all the harbours, bays, creeks, &c., and take exact account as directed, and to declare his Majesty's pleasure to all the Planters. Has already done it in this Harbour, and they promised obedience, but the greatest part are too poor to remove unless his Majesty will send a ship for them, and at last they must be put on the Parish

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wherever they come. A labouring man will get in a summer season near 20*l.*, and their daily food comes out of the sea, while such a person would not get 3*l.* in England. Has made diligent inquiry into all those things laid to the Planters' charge by the Merchants, and finds most of them false, manifested in this single point. Summoned the Admirals and Commanders of 45 ships, and told them he thought it would be convenient that no stages, flakes, storehouses, or anything else should be pulled down, but preserved till next season; several old and experienced Commanders were for the preservation of all, but three-fourths were for taking them down, making many pretences that they had been at great charge and labour to build them, and why should another enjoy their goods next year? In conclusion, told them his Majesty's Charter forbids that any spike or nail should be drawn, but everything entirely preserved, and he would take particular notice of those that should offend, and acquaint his Majesty therewith. All these things are laid to the Planters' charge. It is a common practice with the Commanders to brew beer, wood their ships, and sell the remains of the stages and houses to the sack ships. Has had experience of it 20 years since in a voyage here, and taken them in the very act of doing it since he came here. The charge laid to the Planters of enticing the men to stay behind and neglect their families is as true as the former; for when the voyage is ended, to save 30*s.* or 40*s.* for their passage, the Commanders persuade the Planters to receive them, and the seamen to tarry behind, as some Commanders have confessed, pretending they knew no order to the contrary. As to buying wine and brandy from New England in exchange for fish, has ordered them all to give account of all the wine, brandy, and other goods they have bought this year, with names of ship, master, and where she belongs. These Planters are not so bad as the Merchants make them, but some "self-ended" persons have a mind to engross all into their own hands. It is the opinion of several experienced Commanders that if those people be removed from this country, his Majesty's subjects would in few years find the ill-effects of it, for undoubtedly the greatest part would settle among the French, where they are already invited with great promises, or else for New England; they implore his Majesty's favour to continue, and promise all obedience to what orders shall be given. Several of the ships whose Merchants made such a clamour for convoy are scattered up and down, and going away without taking any notice of him. Designs to sail in August for the Bay of Bulls, there to make up the fleet, and to sail thence 20th Sept. at furthest, unless the ships cannot be ready. The fishers are like to make an indifferent good voyage, having taken about 200 kintalls per boat; the "Caplinge scoole" of bait is gone, which is a great detriment. St. John's is an excellent Harbour, large enough for 100 sail, with a narrow entrance and very high land; a small charge may fortify it to keep out a considerable fleet, and several think that, if the inhabitants be taken away, the French will soon possess it, to the loss of several advantages his Majesty's subjects yet enjoy, it being in the middle of the land. Has inquired in this Port, and cannot

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find that any New England vessels have been here with the goods before mentioned; but, on the contrary, that New England has taken good quantities of those goods from hence, the product of which is shipped in English vessels for a market. Has given account to Mr. Sec. Coventry and Mr. Pepys to the same effect. *Endorsed,* "R., 23 Aug. 1675." 3 *pp.* [*Col. Papers, Vol.* 34, *No.* 118.]

July 29. **629.** Sec. Sir Joseph Williamson to Sir Jonathan Atkins, Governor of Barbadoes. To same effect as his letter to Lord Vaughan (*see ante, No.* 627), with copy of the Treaty Marine with Holland. ½ *p.* [*Col. Entry Bk., No. XCIII.*, 139.]

July 30. Windsor. **630.** Mem. of letter to Lord Vaughan, appointing Sir Henry Morgan, of the Council of Jamaica, in the room of Maj.-Gen. Banister, deceased. [*Col. Entry Bk., No. XCV.*, 92.]

Aug. 4. **631.** Minutes of the Committee for Plantations. The Lords report of Mr. Harris's case and the remedy fit for him, all drawn up this day in a letter proper for his Majesty's signature, which his Majesty approved of, and ordered to be prepared by Mr. Sec. Williamson, and sent to the Governors in New England. *See next entry.* [*Col. Entry Bks., Vol. LX., p.* 42, *and Vol.* 104, *p.* 33.]

Aug. 4. **632.** The King to the Governors of Massachusetts, Rhode Island, New Plymouth, and Connecticut. Embodying the report of the Committee for Plantations on William Harris's petition. Recites the Petitioner's complaints, and commands the Governors of the respective Colonies to appoint honest and indifferent persons as judges and jurymen, and gives them authority to determine the differences, the result of which they are to send an account. [*Col. Entry Bks., Vol.* 60, *pp.* 42–47, *and Vol.* 93, *p.* 139 *b.*]

Aug. 4. **633.** Petition of the Merchants and Freighters of the ship Virgin to the King and Council. That upon their humble address, setting forth the delays and denials their Agent has met with in the Court of Spain in his solicitations for satisfaction for Petitioners' losses, his Majesty, by Order of July 14th last, appointed Mr. Sec. Coventry to acquaint the Spanish Envoy Extraordinary here that, unless he forthwith gave them satisfaction, his Majesty would grant them letters of reprisal; in pursuance whereof Don Pedro Romquillos has had a copy of said Order, and some of Petitioners have attended him for satisfaction, but he replied that he was wholly ignorant of the concern, and they must expect satisfaction from the place where the injury was done. Pray letters of reprisal, as declared by his Majesty's Orders of 3 July 1674 and 14 July last. *Endorsed,* "Read in Council, Aug. 4, '75." 1 *p.* [*Col. Papers, Vol.* 35, *No.* 1.]

Aug. 4. **634.** Petition of the Merchants and Freighters of the ship Thomas and Mary to the King in Council. In pursuance of his

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Majesty's Order of 17th July 1674, Petitioners' Agent has attended in the Court of Spain, soliciting satisfaction for their losses, above 9 months, to their great expense, being more than double the time limited by his Majesty, yet cannot procure any other answer than the despatch annexed, which has not the least prospect towards satisfaction, Petitioners being directed to the Havana to sue for said ship and goods; while the pirates amongst whom the goods were divided are unknown to Petitioners, and it may be, since dead, insolvent, or elsewhere; neither if it could be obtained is above one-fifteenth part of their loss offered in satisfaction for the whole; and Petitioners are absolutely denied satisfaction for the logwood on board, yet it is acknowledged that the owner was no pirate, nor found trading in or invading any of their ports, but was taken in the high sea. Pray letters of reprisal according to aforesaid Order of 17th July. *Endorsed*, "Read, Aug. 4, '75," &c. 1 *p.* [*Col. Papers, Vol.* 35, *No.* 2.]

Aug. 4. Hampton Court. **635.** Order of the King in Council. On reading Petition of the Merchants and Freighters of the ship Virgin, praying that in regard all their solicitations for satisfaction of their losses had proved fruitless, his Majesty would grant them letters of reprisal, ordered that Petitioners attend his Majesty in Council the first Council day after his return to Whitehall, and produce proofs of their losses and damages, and that Don Pedro de Romquillos, Envoy Extraordinary of Spain, have notice that he may be present, and then his Majesty will give such order that his subjects may be righted, if wrong be done them, without any more delay. *Endorsed*, "This order was translated into French and sent to the Spanish Envoy, 7th of Aug. '75." 1 *p.* [*Col. Papers, Vol.* 35, *No.* 3.]

Aug. 4–5. **636.** Minutes of the Assembly of Barbadoes. Col. Chr. Codrington re-elected Speaker, the House having sat three times by adjournment. An Act to give encouragement to all persons to take up runaway Christian servants, and requiring security from such as keep boats, passed.

Aug. 5. Resolved on debate of petition of Col. Dan. Searle, to move his Excellency and Council, if it appear to them lawful and convenient, to afford him a re-appraisement of his estate, taken in execution at the suit of John Hallett. An Act concerning negroes, with some amendments, ordered to be transcribed, and some of the members having gone away in the afternoon so that there could not be made a House, adjourned till Tuesday next come three weeks. 3 *pp.* [*Col. Entry Bk., No. XIII.*, 188–190.]

Aug. 5. Whitehall. **637.** Sec. Sir Joseph Williamson to Sir Wm. Berkeley, Governor of Virginia. To the same purport as his letter to Lord Vaughan of July 18 (*see ante, No.* 627). Sends a Latin copy of the Treaty Marine with Holland. ½ *p.* [*Col. Entry Bk., No. XCIII.*, 139.]

Aug. 5. Tortugas. **638.** M. Ogeron to (? Mr. Byndloss). Intreats him to give to whom he shall think fit the letter of attorney he directs to him, that he may recover what is due to the Lord Admiral from the

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privateer captains and their companies that sail under his commission, and touch in Jamaica to dispose of their prize goods. With attestation by James Barclay, sworn 22nd July 1676, that he truly rendered the above out of a French original, which he believes was signed by Ogeron, whose hand he very well knows; and certificate from Samuel Longe that this is a copy delivered in Council. *Endorsed,* "Recd. from Mr. Bindloss." **1** *p.* [*Col. Papers, Vol.* 35, *No.* 4.]

Aug. 7–17. Madrid. **639.** Sir Wm. Godolphin to the Lord Privy Seal. Encloses List of Papers that have passed on Capt. Cooke's business, and of what has been sent to Mr. Sec. Coventry, and copies of the despatches given by the Council of Indies to the Captain of the Havana. Has waited near a month without answer, and perceiving their mind is not to give any real satisfaction for injuries done in the Indies, has consented to the Captain's eager desire of returning home. *Endorsed by Locke,* "Rec., Sept. 24, 1675, by Mr. Cooke." *Encloses,*

639. I. List of Papers concerning differences between the Spaniards and English in the West Indies :—

1673, Dec. 5. Orders on behalf of Mr. Littleton, &c., concerned in the ships Virgin and Mary. *See preceding Vol., No.* 1178.

1673–74, Mar. 5. Order of Council concerning the ships the Virgin Pink, &c. *See preceding Vol., No.* 1226 II.

1673–74, Mar. 11. Order upon Report of Committee. *See preceding Vol., No.* 1226.

1675, June 9. Order for recalling Mr. Edmund Cooke out of Spain. *See ante, No.* 579.

1675, Aug. 4. Order about Capt. Cooke, &c. *See ante, No.* 635.

1675, Sept. 30. Minute of the Council of Plantations. *See No.* 683.

1675, Oct. 8. The Judge of the Admiralty's Report about Mr. Cooke, &c. *See No.* 693.

1675, Nov. 1. Letter to Sir Leolin Jenkins about Mr. Cooke. *See No.* 702.

1675, Nov. 29. Report from Committee of Plantations in the case of Capt. Cooke. *See No.* 719.

1675, Dec. 1. Minute of the Council about Capt. Cooke. *See No.* 720.

1677, Apr. 30. Letter from Mr. Chas. Bertie to Sir Robt. Southwell about Captain Cooke.

1677, May. Draft of a Report from Sir Robt. Southwell to the Lord Treasurer about Capt. Cooke.

1674, Oct. 19–29. Copy of a memorial to the Queen of Spain and Translation. *See No.* 640 I., II.

N.B.—The remainder of the papers described in this list, forty in number, the originals of which are all consecutively numbered, are abstracted below. Together, 6 *pp.* [*Col. Papers, Vol.* 35, *Nos.* 5, 5 I.]

Aug. 7–17. Madrid. **640.** Sir Wm. Godolphin to Sec. Coventry. This is to accompany and recommend Capt. Edmond Cooke returning homeward

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to give account of his success here in obedience to the Order of Council. He carries no better satisfaction on the business of the Virgin and Thomas and Mary than Sir Wm. represented the 30th past, and foretold the $\frac{10}{20}$ March, for though having replied against those despatches they have been entertained with hopes of amendment from a Consulta transmitted by the Council of the Indies to the Queen. Finds after waiting above three weeks it is an amusement only, and their wonted way of denial, which is not to answer. Has therefore thought it expedient the Captain should stay no longer, who will put into his Honor's hands a packet of 40 papers, being copies of what have passed here in his solicitation, which he has enforced in the best manner that the common interest of both crowns seemed to him to require. Some of the wisest ministers here concur in his indignation at the late inhuman dealing with the English in the West Indies, but the ignorant zeal and presumption of new councillors and of the generality prevails over the wisdom of a few to such a degree as they exclaim against those who treated with him the Peace of America as betrayers of their country. They ought therefore rather to provide against future injuries than to depend on satisfaction here, till they have taught the Spaniards their own interest in the Indies by more efficacious means than friendship. *Endorsed,* "Recd. 23 Septr." *Annexed,*

640. I., II. Memorial of Sir Wm. Godolphin to the Queen of Spain. Containing a full account of the depredations upon the Virgin of London, Edmond Cooke, Master, by the Spanish in the West Indies (*see preceding Vol., No.* 1178 I.), and demanding reparation and satisfaction for same. Madrid, 1674, Oct. $\frac{19}{29}$. *Spanish, with English translation.*

640. III., IV. Memorial of Sir Wm. Godolphin to the Queen of Spain. Complaining of the depredations upon the ship Thomas and Mary, Wm. How, Master, and Rich. Ashall, Merchant, taken by Don Francisco Lopez de Andrade, in the West Indies, and demanding reparation and satisfaction for same. Madrid, 1674, Oct. $\frac{19}{29}$. *Spanish and English translation.*

640. V. Sir William Godolphin to the Conde de Medellin, President of the Council of the Indies. Recommending the person and business of Capt. Edmond Cooke, about the ship Virgin; as also about the ship Thomas and Mary. Madrid, 1674, Nov. $\frac{2}{12}$. *Spanish.*

640. VI. The Conde de Medellin to Sir William Godolphin, in answer to the above. *Endorsed,* "This letter was not delivered to me till November 19th." Madrid, 1674, Nov. $\frac{2}{12}$. *Spanish.*

640. VII. Sir Wm. Godolphin to the Conde de Medellin. *Endorsed,* "Answering his of the 12th, and expostulating on the business of the ships Thomas and Mary, of Virginia, and Virgin, of London, taken by the Spaniards in the West Indies." Madrid, 1674, Nov. $\frac{20}{30}$. *Spanish.*

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640. VIII., IX. Memorial of Captain Edmund Cooke to the Conde de Medellin, President of the Council of the Indies. Presenting jointly the exemplifications under the seal of the Admiralty Court of England containing the proofs made there touching the damages and losses sustained by the capture of the ships Thomas and Mary and Virgin, &c. 1674, Dec. $\frac{2}{12}$. *Spanish and English translation.*

640. X. Memorial of Thomas Cooke to the Conde de Medellin, President (of the Council) of the Indies. Presenting the exemplification translated into Spanish by the Secretary of languages in virtue of the Council's order to that purpose, and praying justice thereupon. 1674–75, Jan. $\frac{8}{18}$. *Spanish.*

640. XI. Memorial of Thos. Cooke to the Conde de Medellin. Annexing the translation of two Orders of Council about his and Mr. Ashall's business for their coming to Madrid to demand satisfaction. Madrid, 1675, Feb. 6. *Spanish.*

640. XII., XIII. Sir Wm. Godolphin to the Conde de Medellin. Pressing dispatch and satisfaction on the several complaints made by him of hostilities committed by the Spaniards on the English in the West Indies, particularly in the cases of the ships Virgin, Thomas and Mary, and Humility, and the murder of Timothy Stamp. Madrid, 1675, Feb. 11. *Spanish and English translation.*

640. XIV., XV. The Conde de Peneranda to Sir Wm. Godolphin. The Queen of Spain has commanded the Council of the Indies that the English prizes made in the Havana by Francisco Lopez de Andrade and Don Phelipe Geraldino be restored to their owners; and at the same time the Council of the Indies has represented to Her Majesty the vexatious murders and robberies committed by subjects of his Majesty of Great Britain against those of this Crown, a particular relation whereof he will deliver his Excellency, her Majesty promising herself that his Majesty will order due satisfaction and reparation to be made. Madrid, 1675, April 10. *Spanish and English translation.*

640. XVI., XVII. Sir Wm. Godolphin to the Conde de Peneranda. In relation to the complaints on both sides in the West Indies, and that those of the Spaniards may be justified and proved as ours have been. Madrid, 1675, May 8. *Spanish and English translation.*

640. XVIII., XIX. The Conde de Peneranda to Sir Wm. Godolphin. The Council of the Indies will give him the clearest information as to what prizes the Queen commanded to be restored. Sends relations of the violences committed by the English against Spanish subjects in the Indies in the same form that Council put them into the Queen's hands, not doubting his Excellency will transmit them to his Majesty of Great Britain, and solicit due satisfaction and reparation. Madrid, 1675 May 9. *Spanish and English translation.*

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640. XX., XXI. Sir Wm. Godolphin to the Conde de Medellin. Begs to specify in what manner the prizes are to be restored, what satisfaction for ships since lost, goods plundered and damages accruing, with such other particulars as may enable him to give his Majesty some distinct account what satisfaction to his suffering subjects and to the public justice he may at length expect from her Majesty's friendship. Madrid, 1675, May 15. *Spanish and English translation.*

640. XXII., XXIII., XXIV. The Conde de Medellin to Sir Wm. Godolphin. Sends in answer to his Excellency's of this date, inclosed letter from Don Antonio de Rozas expressing the satisfaction her Majesty has resolved to give to the owners of the ships Thomas and Mary and Humility of London, also letter to the Governor of the Havana for punctual restitution and performance of her Majesty's warrant. *Encloses,*

I. Don Antonio de Rozas, Secretary of New Spain, to the Conde de Medellin. Madrid, 1675, April 7. *Spanish.*

II. The Conde de Medellin to Don Francisco Rodriguez de Ledesma, Governor and Captain General of the Havana. Recommends the bearer, Captain Edmund Cooke, who also carries a despatch from her Majesty concerning his ship, which is to be executed without any delay or vexation. Madrid, 1675, May 9. *Spanish.*

640. XXV. Sir William Godolphin to the Conde de Medellin. Pressing the despatches for the restitution of the English Prizes taken in the West Indies. Madrid, 1675, June 6. *Spanish.*

640. XXVI. The Conde de Medellin to Sir Wm. Godolphin. In answer to the above. Madrid, 1675, June 6. *Spanish.*

640. XXVII. Don Antonio de Rozas to the Conde de Medellin. *Endorsed,* "Copy of the Secretary of New Spain, his paper to the Conde de Medellin, June 6, 1675. Enclosed to me by that Conde the same day, referring me hereunto for the state of the despatches about the restitution of the English Prizes made in the Indies. Madrid, 1675, June 6. *Spanish.*

640. XXVIII., XXIX. Commission of the Queen Regent of Spain to Don Antonio Ortiz de Matienzo, Lieutenant to the Governor and Captain-General of Cuba and the City of San Christobel of the Havana. For restitution to be made to Wm. How and Richard Ashall of the value and proceed of the Thomas and Mary and her lading taken by Francisco Lopez de Andrade, except the Campeachy wood which is declared for lost as not to be traded without license. Madrid, 1675, June 8. *Spanish and English translation.*

640. XXX., XXXI. Sir Wm. Godolphin to the Conde de Medellin. Relating briefly the proceedings that had passed on Capt.

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Cooke's business about the Virgin, made prize in the Havana in May 1673, the present difficulties and mistakes thereupon, and pressing for dispatch. Madrid, 1675, June 21. *Spanish and English translation.*

640. XXXII., XXXIII. Commission of the Queen Regent of Spain to Don Antonio de Matienzo. For restitution to Edmond Cooke of the Virgin, of London, and her merchandize, seized by Don Philip Geraldino, in May 1673, near the Havana, except the Campeachy wood. Madrid, 1675, July 2. *Spanish and English translation.*

640. XXXIV., XXXV. Memorial of Capt. Cooke to the Conde de Medellin, President of the Indies. Against the Despatch [Commission of the Queen of Spain] delivered to him for the [Governor of the] Havana as insufficient. Madrid, 1675, July 16. *Spanish and English translation.*

640. XXXVI. Sir Wm. Godolphin to the Conde de Medellin. "Against the Despatches delivered to Capt. Cooke for the Havana as insufficient, and accompanying the Captain's Memorial to the same effect. Also about the ship Humility, Matthew Fox, Master." Madrid, 1675, July 16. *Spanish.*

640. XXXVII., XXXVIII. The Memorial of Capt. Cooke above referred to. Madrid 1675, July 23. *Spanish and English translation.*

640. XXXIX. Memorial of Capt. Cooke to the Conde de Peneranda. Against the orders he had received for the Havana, and praying his favour to the dispatch of a new Consulta about his business from the Council of Indies depending before the Queen. Madrid, 1675, July 25. *Spanish.*

640. XL. Sir Wm. Godolphin to the Marquis de Mesorada, Secretary of the Universal Dispatch. Has received the King's orders to dispatch Capt. Cooke to England to acquaint his Majesty with the success of his suit in this Court since September last, in seeking satisfaction for the ships Virgin, and Thomas and Mary, taken by subjects of this Crown in the West Indies, and having understood there is a Consulta depending in her Majesty's hands concerning this matter, begs his Excellency to dispatch the business with all possible brevity. Madrid, 1675, Aug. 1. *Spanish. Together, 90 pp.* [*Col. Papers, Vol. 35, Nos.* 6, 6 I–XL.]

641. Another copy of the Queen Regent of Spain's Commission abstracted above, No. 640, XXVIII. *Endorsed,* "Rec^{d}. 21^{o} July 1675. Read in Council Aug^{t}. 4th 1675." 1½ *pp.* [*Col. Papers, Vol. 35, No.* 7.]

642. Answer of the Queen Regent of Spain to the Memorial touching the Humility of London, taken by Don Philip Geraldino, Irishman, in the Havana, dated Madrid, 1675, June 8. *Two copies, one endorsed,* "Read in Council 17 Sept. 1675," *the other,* "The humble petition of Martine Stampe for Reprizal ag^{t}. the Spaniards.

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Rec^{d}. June 29th 1677. Read in Council, July 20th 1677." *Together*, 4½ *pp.* [*Col. Papers, Vol.* 35, *Nos.* 8, 9.]

Aug. 7–17. Madrid. **643.** Sir Wm. Godolphin to James Littleton. It is a great mortification to Sir Wm. that he has obtained no better satisfaction for the injuries Littleton and others concerned in the ship Virgin have sustained from the Spaniards, than what Captain Cooke the bearer will show in the despatches for the Havana; against which he has excepted as insufficient, as well touching the logwood as for the uncertainties. They will not disburse anything here towards reparation, and he is too well acquainted with Spanish forms of proceeding to advise him on so weak grounds to seek any at the Havana, unless by virtue of his Majesty's Commission, instead of this from the Queen of Spain. Nothing has been omitted on his part for the prevention of violent remedies which he easily foresees must follow, and Captain Cooke has solicited with all vigour and dexterity; but their misfortune has been the loose constitution of this Government during the minority which God be thanked will expire two months hence and the erroneous opinions the Spaniards conceive of ours from some transactions in Parliament. They fancy Parliament will not suffer the King to do them any harm, and that without the Spanish trade England would be all in disorder, and this makes them bold. Hopes next Session will render his Majesty formidable to his neighbours, which will furnish his Ministers abroad with the best arguments to obtain justice for his subjects. Encloses a list of papers which have passed in this business, which he will find at large in Secretary Coventry's office. Pays his service to Messrs. Wm. Buckler and Robert Foorthe who subscribed with him the letter. 2 *pp.* [*Col. Papers, Vol.* 35, *No.* 10.]

Aug. 7–17. Paramaribo. **644.** Judgment by P. Versterre, Governor of Surinam, against Rowland Simpson, for 240*l.* payable to Andrew Clifford. *Dutch*, 1 *p.* [*Col. Papers, Vol.* 35, *No.* 11.]

Aug. 8. Windsor. **645.** Warrant to the Attorney or Solicitor General. Whereas his Majesty has been informed that Capt. George Brimicane of Jamaica at a Court of King's Bench held in that island was found guilty of murder and sentence of death passed upon him, and whereas the Governor has informed his Majesty that the Judges having certified him that the fact could scarcely be adjudged murder, and having recommended said Captain Brimicane to mercy he had reprieved him for his Majesty's pleasure, it is his Majesty's pleasure that a Bill be prepared to pass the Great Seal containing a grant of pardon to said Capt. George Brimicane for said murder, and of all penalties and forfeitures by reason thereof. 1½ *pp.* [*Dom. Entry Bk., Chas. II., Vol.* 28, *pp.* 141, 141*a*.]

Aug. 9. Windsor. **646.** Warrant to Lord Vaughan, Governor of Jamaica, empowering him to continue his reprieve to Capt. George Brimicane, who was sentenced to death in Jamaica for murder, but reprieved till his Majesty's further order, on certificate from the Judges that

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the fact could scarcely be adjudged murder, and to deal with him as a person his Majesty intends to pardon. 1½ *pp.* [*Col. Entry Bk., No. XCV.*, 66, 67.]

Aug. 11. Windsor. **647.** Warrant to Sir Thomas Chicheley, Master General of the Ordnance. Whereas the provision of powder lately sent for Jamaica has been cast away, the vessel suffering shipwreck, he is to deliver 100 barrels of powder more to such person as shall be authorised to receive the same by the Governor of Jamaica. 1 *p.* [*Dom. Entry Bk., Chas. II., Vol.* 29, *p.* 132.]

Aug. 11. **648.** The Committee of Council of Trade and Plantations to the Governor of Virginia. That the King has superseded the late Commission for Trade and Plantations and restored all the business of that nature to its accustomed channel of a Committee of his Privy Council. Require a clean and full account in writing of the state and condition of his Plantation, the rules and laws of Government, the revenue, number of Planters, &c., and also a journal of all things which have passed since his arrival there. *Circular letter.* 2 *pp.* [*Col. Entry Bk., Vol.* 97, *p.* 9.]

Aug. 11. Whitehall. **649.** The Council for Trade and Foreign Plantations to Sir Jonathan Atkins, Governor of Barbadoes, &c. His Majesty has superseded the Council of Trade and Plantations, and committed the management of those affairs to a Committee of the Privy Council. Expect a full account in writing of the condition in which he found that island, the Laws, Government, officers, revenue, forces in his Majesty's pay, number of Planters and people, trade, condition of neighbouring countries, and on what terms they live; also a journal of all things that have passed since his arrival, and from time to time what shall occur in relation to the heads aforesaid. *Circular letter.* 2½ *pp.* [*Col. Entry Bk., No. VI.*, 25–27.]

Aug. 11. Whitehall. **650.** Minutes of the Committee for Trade and Plantations. His Majesty having dissolved the late Council of Trade and Foreign Plantations, and committed what was under their inspection to a Committee of the Privy Council appointed for matters relating to trade and foreign Plantations, their Lordships on the 11th August 1675, signed the following circular letter to Lord Vaughan to have a minute account of all things under his Government, viz.: That they have thought fit to give his Lordship advertisement that his Majesty has committed to a select number of the Privy Council the care of his Plantations, who are possessed of all books and papers of said Council. Expect from his Lordship a full account in writing of the condition in which he found Jamaica, a description of the country and commodities; the laws and rules of Government; the Offices Civil, Ecclesiastical, and Military; Revenue; the effective force in his Majesty's pay; the number of Planters and people, and how many are able to bear arms; the trade; the condition of the neighbouring countries and places, and on what terms they live with each other; and generally of all things he shall judge necessary for their Lordships full information. They

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also require him to transmit a journal of all things which have passed since his arrival and of what shall occur for the future. 3½ *pp.* [*Col. Entry Bk., No. XXIX.*, 27–32.]

Aug. 11. Whitehall. **651.** Minutes of the Committee of Trade and Plantations. Their Lordships signed a circular letter to Lord Vaughan at Jamaica, and Sir Jonathan Atkins at Barbadoes, for a minute account of all things under their Government; other letters to be prepared but with some variation. Letter from Sir R. Southwell by order of the Lords to Sir Chas. Wheler, Lord Berkeley being now in preparation for France and their Lordships desirous to arm him with fit expedients to demand satisfaction in the business of St. Christopher's, desire that Sir Chas. would alter the enclosed paper so as to bring all into a fair draft, and also make another draft according to the method in which he proceeded with M. De Baas, that they may choose the best, supposing he may have the same ready in a fortnight. A letter sent to Mr. Harris at the Duke's Play House to hasten the seal for St. Christopher's, the motto to be Sigillum Sancti Christopheri Nevis et Cæterarum Insularum Nostrarum America Septentrionali adjacentium. 1 *p.* [*Col. Entry Bk., No. CIV.*, 33, 34.]

Aug. 11. **652.** Sir Robt. Southwell to Sir Chas. Wheler. Copy of the letter abstracted in the preceding minutes. [*Col. Entry Bk., No. XLVI.*, 14.]

Aug. 13. Surinam. **653.** Edw. Cranfield and Marcus Brandt to [Sec. Sir Joseph Williamson]. Having an opportunity by way of Holland, thought themselves obliged to send copies of what they formerly wrote by Capt. Dickenson, and to advertise him of the departure of his Majesty's ships, subjects and slaves, having rather more on board than in the list here inclosed. The ships are very much pestered and could not contain more. By way of Jamaica he shall have particulars more at large.

653. I., II. Copies of their letters of 11 July 1675 [dated 13 Aug. 1675] *enclosed, see ante, No.* 624.

653. III. A general list of the English that depart from Surinam to Jamaica, numbering 109 names with wives, 90 children, &c., and 1,049 slaves. For details see lists enclosed in letter of 22nd Sept., *No.* 675. *Together,* 5½ *pp.* [*Col. Papers, Vol.* 35, *Nos.* 12, 12 I–II.]

Aug. 13. **654.** Copy of above list, with one or two omissions. [*Col. Entry Bk., No. LXXVIII.*, 101–105.]

Aug. 14. **655.** Two Acts passed in the island of Montserrat, viz.: An Act restraining physicians' high fees and fining rum works. *In margin,* "Print this" and (2) for the speedy fixing of fire arms and also for the encouragement of workmen. Dated 14 Aug. 1675. *In margin,* "Expired." [*Col. Entry Bk., No. L.*, 224–227.]

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Aug. 23. Windsor. **656.** The King to Lord Vaughan (Gov. of Jamaica). Having received complaint from the Queen of Spain that several of his subjects of Jamaica take commissions from Foreign Princes who are enemies to the Catholic King, his Majesty requires him immediately to issue a Proclamation recalling all such as have taken any such Commissions, and prohibiting others from taking any for the future, or assisting such as shall attempt hostilities against said King or his subjects; and that he proceed against any daring to offend against this order with the utmost severity of the law. 2 *pp.* [*Col. Entry Bk., No. XCV*, 69, 70.]

Aug. 25. Port Royal. **657.** Sir Henry Morgan to Capt. John Edmunds at Point Negrill. Understanding from William Crane that he is timorous to come into any of their harbours, assures him he will be very welcome in any harbour; and Mr. Crane the bearer will inform him he shall have as much privilege as he can in reason expect from the writer. *Endorsed*, "Sir H. Morgan's Letter to a Privateer with French Com^{n}." ½ *p.* [*Col. Papers, Vol.* 35, *No.* 13.]

Aug. 31. Windsor. **658.** Mem. That a letter was written from his Majesty to the Governor and Council of the Massachusetts Colony in New England in behalf of Samuel Bellingham for a re-hearing of his cause concerning his father's will. [*Col. Entry Bk., Vol.* 110, *p* 77.]

Aug. 31. **659.** Minutes of the Assembly of Barbadoes. The Supplemental Act concerning negroes passed. Ordered, that the petition of James Collins for remission of 802 lbs. of sugar, arrears of old levies, he being very poor and unable to pay, be granted, and that the Committee of Public Accounts take notice thereof; also, that the Treasurer allow Richard Bate, merchant, half the duty of 76 pipes of Madeira wine entered by him, he having been at great trouble and charge to save same after the ship was bulged. On information of Thomas Wardall, Esq., that some land in St. Michael's Town belonging to the country is encroached upon by William Willson, the Assembly move his Excellency and Council that some course be taken for the discovery thereof, and vindication of the country's legal right.

Sept. 1. Adjourned, at his Excellency's desire, to Tuesday next come 3 weeks, most of the Assembly being gone home by reason of the lamentable hurricane last night and this morning. 2½ *pp.* [*Col. Entry Bk., No. XIII.*, 190–193.]

Sept. 2. **660.** Sir Chas. Wheler to (Sir Robert Southwell, Secretary to the Committee of Council for Plantations). Did not receive his of the 11th till the 17th current [Aug]. Left the papers that were done between M. de Baas and himself with Sir Robert or Mr. Prescott, for fear the originals sent to the Earl of Arlington might be mislaid, so must trust to his own memory. Continues in his judgment that the wording of those propositions that were sent to him will much perplex Lord Berkeley, and though he should at last prevail and the French King send positive orders to De Baas

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and St. Laurence to do what is proposed to his own certain knowledge they cannot do it, (1) because the French Planters have not ability to make satisfaction, and (2) would not obey if they had. As to the first, computes the English pretence for negroes to be near 40,000*l.* (from which ought to be deducted about 5,000*l.* for diet of prisoners), and for other spoils and damages to be near 20,000*l.*, and all the French Islands are not worth those sums. As to the second, the Frenchman produces his contract and makes oath that he really paid so much, the Englishman swears he received but half, the process is brought to the National Court, which never decided any point, the judges of one nation pronouncing a contrary sentence to the other. The appeal from this Court is to Stapleton and De Baas who agree like fire and water, or to the two Governors, Mathews and St. Laurence, who are yet more irreconcileable; how is it possible then that this estimate can be made? The like again as to meliorations, of which though there is not a word in the Treaty of Breda, yet Lord Arlington in his letter signed by M. Colbert, has given some ground to the French to insist upon. The French say he has "meliorated" the plantation; the English say he has "pejorated" it; the National Court deputes an Englishman and Frenchman to survey, who report diversely, and the judges adhere to the report of the surveyor of their nation, and so in other instances. But yet a greater difficulty seems to be in the matter of the negroes, many were distributed amongst the officers and soldiers for pay and booty, and by them sold in the market, and the planter who legally bought them will die before he will part with them until reimbursed. This is so tender a point that for those few negroes that ran to Sir Charles at St. Christopher's for protection and chose again their English masters, the French planters did so mutiny that M. de Baas was very unsafe in his government, and gave Sir Charles notice that it might not be in his power to prevent the fury of the populace from running upon Sir Charles and violently taking away their negroes, so that Sir Charles was forced to the great hazard of his life to lie in the field with cannon about him to defend the negroes. But should the French King's orders be so strict that they must be obeyed, it can never be proved that the tenth part of those negroes were ever in possession of any Frenchman now in being, for many were conveyed to the Continent, sold to the Spaniards, transported to other islands, or have died since the Treaty of Breda. In this great difficulty, although pressed, M. de Baas utterly refused to make proclamation in the other islands, fixing a day for the English negroes to be brought to make their choice before English Commissioners, or to point out any other way, saying that there was no such method directed in the Articles of Breda, and that the English must find out where the negroes were; which refusal did not trouble Sir Charles much, knowing that he would not have got 50 negroes, and he wrote to Lord Arlington his Majesty should lay hold of this great damage, and at least strike off the money for diet of prisoners, and so keep alive his pretension for 35,000*l.* damage, believes he will find copy of that paper amongst others. Must

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trouble him with one particular more. The first violence of the French was their taking possession of the houses and plantations of those English who went off the island but did not sell their estates, for by the capitulations they were at liberty in person or estate to stay, go, or return at pleasure, so that when the French obtruded the oath to the French King upon them contrary to the capitulations the loyal English would not take it nor sell (for not above 20 or 30 sold), but went off to Nevis or adjacent islands, till they should know his Majesty's pleasure. What had the French to do to take possession of their houses? much less had they any right to carry their materials and those of six fair churches and all the timber growing in the English mountains into the French dominions, or to plantations bought of the English, and use them in buildings, and afterwards pretend to be paid for meliorations. Has been the longer that his wording of the propositions may be the more clearly understood, viz.: 1. That such as did not sell their estates on St. Christopher's may without delay be restored to possession thereof in as good condition as when they left them, going off for a time only to avoid the injustice of an oath tendered contrary to the capitulations of peace, the French King proposing a way for satisfaction for spoils without putting upon them the impossibility of proving every particular carried away in their absence. 2. That a further time be agreed on for repayment of the price received by the English on sale of their estates, and a means directed for ascertaining the same in such cases as Mr. Loverain's and others, where the French pretend to more than the English actually received; and that in such cases as Mr. Freeman's and others, who were paid in shipping or merchandize, and were robbed at sea by the French, they may be put in possession of their estates as though they had never sold them, the French King proposing a way for satisfaction, without their seeking out the captains of ships that violated their passports and robbed them. 3. When any Englishman, who sold his estate, shall (within a time limited) tender the price actually received, he shall immediately be put into full possession, and the French receive satisfaction for melioration by the grace of his Majesty, when satisfied that the estate has been improved. 4. That whereas restitution to his Majesty was delayed for four years after the publication of the peace by frivolous and unjust objections, the French King propose a way to give satisfaction to the English for their losses and damages for that delay, especially to those who are utterly undone by spending all their substance in expectation of the restitution; and also make satisfaction for negroes that have died or have been conveyed away since publication of the peace. 5. That a further time may be agreed on, and a fair way proposed by the French King, for bringing the English negroes of St. Christopher's, Antigua, and Montserrat to make their choice according to the Articles of Breda. 6. That his Majesty's subjects may have reparation for their losses suffered through the French Governor's putting the edict of 31st May/10th June 1670 in execution, contrary to the French Ambassador's memorial, and against the treaties. 7. And that the French King's positive orders be sent to M. de Baas and the

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Chevalier St. Laurence without any further delay, requiring them to execute the above demands. "Recd., 2 Sept. 1675. Read in part, 16 Sept. 1675. Read again in part, 17 Sept. 1675. 9 *pp.* [*Col. Papers, Vol.* 35, *No.* 14 ; *also Col. Entry Bk., No.* 46, *pp.* 14–23.]

Sept. 3. St. Jago de la Vega.

661. Minutes of the Council of Jamaica. On information of the arrival of divers of his Majesty's subjects from Surinam in the ship Henry and Sarah, and that they desired forthwith to be sent down to the parish of St. Elizabeth where the Surinamers that came with Maj.-Gen. Banister were already settled, ordered, that said ship have orders to put them all ashore at Banister Bay, staying there 14 days, that they may all have time carefully to remove out of the ship, and carefully dispose of themselves and their goods ; and that they be supplied with provisions and other necessaries at moderate rates, and that the following proclamation be made upon Port Royal : Whereas his Majesty has caused to be transported to this island divers of his subjects from Surinam, and hath given particular instructions to his Excellency that all possible assistance be given them in order to their better settlement in this island, ordered, that said persons be treated well, and received in all places with all manner of friendship and kindness, that provisions and all other necessaries be sold them at moderate and easy rates, and that none presume to commit any extortion or exactions on them. Proclamation proposed forbidding all persons to go aboard any vessel before the Marshal of the Admiralty or his Deputy had been there, but the Council thought such a proclamation ought to be issued by his Excellency as Admiral. On reading advices from Barbadoes concerning a late rebellion attempted by the negroes there, and on consideration of the dangers that might accrue to this island by the ill-government of negroes, ordered, that no negres concerned in the late rebellion or convicted of any other crime in Barbadoes be permitted to be bought or sold, and that the Collector at Port Royal examine all masters of ships from Barbadoes on their oaths, and take bond of them in 50*l.* that they will not put ashore any such criminal or convicted negroes, or if any such have been brought hither to send them off the island by the first opportunity ; and if any such negroes shall be left on shore or make their escape, then those that have transported them shall, on conviction, forfeit 50*l.* The Council adjourned to the first Tuesday in October, when a quorum not meeting it was further adjourned to 2nd November. 4½ *pp.* [*Col. Entry Bk., No. XXXV.*, 434–438.]

Sept. 6. Boston, New England.

662. Gov. Leverett to the Lord Privy Seal [Earl of Anglesey]. Acknowledges receipt of the King's commands subscribed by his Lordship and 16 of the Privy Council, dated 2nd December 1674, by the hand of Thomas Deane, agent to the African Company, on 21st June 1675. Is ready to afford him due assistance according to the King's command and as their service may call for, which, he thinks, will not be in haste. For 40 years there has not been any attempt on that navigation by any of our Massachusetts adventurers, only some from England or some Barbadoes merchants that

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have sent upon that voyage, and taken this way to repair their vessels. Thanks him for his favour in appearing to the King when the masts were sent, thinks possibly they may have prejudiced themselves by not manifesting a suitable confidence, but good manners teach them to be sparing in their intrusions. They are not altogether ignorant of the complaints with which the King is unjustly troubled by their adversaries, but are too poor to defray the expenses of some one to appear in answer, and have not meet instruments among them; are thus all the more grateful for the goodwill of the King since his restoration. Must not omit to mention the condition the hand of the Lord has been pleased to bring them into by the breaking forth of the Indian natives by war first on Plymouth and then on them, by their skulking and hiding way in the brushy woods, shooting several English, and firing many hours, thereby doing great damage to many out-plantations, and although on pursuit by soldiers most or all that appeared in open hostility have heen forced to desert their country and places of habitation, yet not without bringing suffering upon many English, the which from the natives is most unjust, they having no provocation, only were vexed at the execution of some of them for wilful murder, clearly proved. *Endorsed*, "Read at Com^tee, 4 Feb. 1675–6." 1 *p.* [*Col. Papers, Vol.* 35, *No.* 15.]

Sept. 6. Boston, New England.

663. Copy of the above with Minute that it was read, 4th Feb. [*Col. Entry Bk., No.* 60, *pp.* 94–97.]

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664. Caveat that nothing pass in favour of the patentees of Connecticut in America to the prejudice of his Royal Highness' interest at New York before notice be given to Sir John Werden, Bart., his Royal Highness's Secretary. ¼ *p.* [*Dom. Entry Bk., Chas. II., Vol.* 45, *p.* 14.]

Sept. 12. H.M.S. Bristol, Bay Bulls, Newfoundland.

665. Sir John Berry to Secretary Sir Joseph Williamson. Refers to his former letter of 24th July (*see ante, No.* 628). Encloses a perfect account of all the fishing ships employed by the merchant adventurers from Cape de Race to Cape Bonavista, with their boats, men, and where bound. This year there are 175 ships, with 4,309 men, and 688 boats, which at 250 kentalls per boat at 12*s.* per kentall amounts to 103,200*l.*; 7 hhds. of train oil per boat at 40*s.* per hhd. is 9,816*l.*; and 20 kentalls of core fish per boat at 5*s.* per kentall is 3,440*l.*; which in all comes to 116,272*l.* Has likewise sent an exact account of the planters, who are 1,655 men, women, and children, they employ 277 boats, and cured upwards of 69,250 kentalls of merchantile fish, most of it shipped in English vessels, which, with their core fish and oil, will amount to 46,813*l.*, upwards of one-third of the fish taken by the merchant adventurers. By this his Honour may see what a loss his Majesty will have if those poor people should remove, for they design to settle amongst the French on the other side of Cape de Race, unless his Majesty will let them continue. Stands in admiration how people

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could appear before his Majesty with so many untruths against the inhabitants. It was never known since the memory of the oldest man using the trade that any New England ship brought wine or brandy in exchange for fish, only some provisions, taking those goods for payment. For better satisfaction, encloses a list of all ships that have furnished them this year, with master's names, and where they belong. The masters are the beginners in destroying the stages, and to save 30*s.* for a seaman's passage care not how many are left behind. Believes his Majesty will never have a regulation of this fishery unless a governor be settled, for the strongest treads down the weakest. Most of the ships bound to a market are gone away two or three in company, scorning convoy. Shall not be above 30 sail, and the weather proving ill for curing will keep them till the 20th or 25th instant. Has sent home one Jno. Bastard, who was apprehended for the supposed murder of John Tozer, his fellow boatman, in May before his arrival, and having examined the matter, has bound over four witnesses to prosecute. Cannot get any certain account of the French and their ships; they have two men-of-war of 40 and 30 guns for convoy, and rendezvous at Trepassey, near Cape de Race; the St. Malo fleet of 20 sail go without convoy, being all considerable ships, and about 40 or 50 with convoy. *Endorsed,* "R. 11 Oct. 1675." *Encloses,*

665. I., II. Duplicates of inclosures Nos. I., II. to Sir J. Berry's letter of this date to Sir Robert Southwell. *Together,* 14 *pp.* [*Col. Papers, Vol.* 35, *Nos.* 16, 16 I., II.]

Sept. 12. H.M.S. Bristol, Bay Bulls, Newfoundland.

666. Sir John Berry to Sir Robt. Southwell. To the same effect as his preceding letter. Incloses accounts of the fishing ships and inhabitants, and list of the ships bringing wine and brandy, above half of which is sold to the fishing ships' crews, who come unprovided, trusting to those ships that yearly bring great quantities, and sell cheap, there being no duty. It will be easy to prevent all this clamour about pulling down stages and seducing men to stay in the country if every commander be bound in 500*l.* to return all his crew (mortality excepted), and to take down all stages and preserve them in some convenient place to serve next season; for if there be not some course taken, in a few years wood will be very hard to bring out, and the sea and ice destroy many stages. *Endorsed,* "Read at the Committee, 4 Dec. 1675. Read again at the Committee, 13 April 1676. Read again the 8th Augt. 1676 in presence of Sir J. Berry." *Encloses,*

666. I. "A list of ships making fishing voyages with boat-keepers who come passengers on their own account; and what ships bound to foreign markets; from Cape de Race to Cape Bonavista;" with the harbours' names, and distance apart; latitude; masters' names; ships' names of whence; burden; guns; men; boats; stages; trainfats; and whither bound; amounting in all to 28 boat-keepers, 172 ships, 13,106 tons burden, 675 guns, 4,309 men, 688 boats, 160 stages and 139 trainfats.

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666. II, "A list of the planters' names with an account of their concerns from Cape de Race to Cape Bonavista;" with the harbours' names; planters' names; children, male and female; men; boats; stages; trainfats; and head of cattle; amounting in all to 146 planters, 187 children 1,253 men, 277 boats, 127 stages, 51 trainfats, and 548 cattle.

666. III. "A list of those that have furnished the inhabitants and ships' crews with brandy, wines, &c., in the year 1675," with the names of the masters, ships, and ports whence they came, all English. *Together*, 15 *pp.* [*Col. Papers, Vol.* 35, *Nos.* 17, 17 I.–III.]

Sept. 13. **667.** Sec. Sir Joseph Williamson to Gov. Leverett. Encloses an authenticated copy of the Treaty with the States General of 1 Dec. 1674. Mem.—The like letters were sent at same time with authenticated Latin copies and translations in English to John Winthrop, Governor of Connecticut, Josias Winslow, Governor of New Plymouth, and Wm. Codington, Governor of Rhode Island. 1 *p.* [*Col. Entry Bk., No. XCIII., p.* 141 *a.*]

Sept. 14. St. Jago de la Vega, Jamaica. **668.** Exemplification of the trial at a Special Sessions of the Peace before Sir H. Morgan and others of Edward Cranfield. On the charge of having maliciously assaulted Thomas Younge, Chief Mate of his Majesty's hired ship America, by running a cane (to the value of 12 pence) into his right eye about the depth of 5 inches, of which he immediately after died; upon which the petty jury found him guilty of chance medley, and he was quitted by proclamation by order of Court. *Two large sheets.* [*Col. Papers, Vol.* 35, *No.* 18; *also Col. Entry Bk., No. LXXVIII.*, 136–141.]

Sept. 15. St. James'. **669.** Sir John Werden to Gov. Andros. Acknowledges letters of 15th and 26th February and 20th April. His Royal Highness is satisfied with his design of loading the Castle frigate with timber from New York, on his being satisfied of the impossibility of having her freighted from New England or Virginia. The ship is safely arrived, and the timber and planks unloaded in his Majesty's yard at Deptford; it is very good of its kind, and comes seasonably for his Majesty's service. Hopes it is come to a good market, although the produce of it and the benefit of the freight, will not countervail half the charge of the seamens' wages, besides the victualling of the ship. As regards the protest against Capt. Burton, sent to the Master Attendant and Mr. Shipwright of his Majesty's yard to survey the ship as she was unloading, who restored (*sic*) a certificate that she was full and advantageously stored, his Royal Highness has considered of his reasons for letting the Dutch pass with her lading of planks and pipe staves, and is very well satisfied with his care to comply with the Acts of Navigation and his taking the advice of the Council and with his care and prudence in quelling the disorders of the chief of the Dutch with so much calmness. He is to endeavour on all occasions to repress inclinations towards mutiny, but not to impose anything that's hard

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and severe; he did very well to permit the person who so earnestly petitioned for it to be sworn upon his submission. As regards the Mahakes' propositions at Albany, he is to do his best to bring to pass such an understanding that the French may not come on this side the lake or river Canada to direct the trade or annoy the Mahakes. As regards the stricter peace with the three Southern Indian Nations and the murder of Dr. Reed [Roades] and his servant, leaves it wholly to him to deal with them as may best stand with the honour and safety of the Government. As regards salt refers him to his Royal Highness' letter of April (6). Has consulted the Judge of the Admiralty touching the Bostoner's ship arrested by Mr. Dyre. Has consulted the Judge of the Admiralty, whose opinion is that, if the ship came into possession of the Dutch during the hostilities it was well judged to be a prize by Gov. Calne, and the judgment cannot be reversed, the possessions of the Dutch vesting in them an absolute property of all moveables taken during the war. This Sir Leoline Jenkins declares to be both by the general law of nations and by the Treaty of Breda confirmed by that of Westminster, 13 Feb. 167$\frac{3}{4}$; knows not whether Evertson's letter to the Mayor and Aldermen of New York promising security for all their estates may make an alteration in the case. Sir Leoline Jenkins' opinion is that Calne's judicial proceedings are not to be questioned as either void or unjust. If he has done them wrong they are without remedy (except from the mere generosity of the States General), the peace having established an amnesty extinguishing all right and pretence of action; doubts not but he will thereby know how to govern himself as to those particulars. Is informed that pieces of $\frac{8}{8}$ may be current money anywhere according to their true value (as in England), but no proclamation by the Duke ought to make them so without the King's authority under the Great Seal, the like also for putting any stamp thereon; it is worthy his further thoughts what profit will result from these things before they go about to get the King's grant. There is no law prohibiting sending their brass farthings thither if it be worth the while. The Duke is pleased to hear he has probable hopes of settling the fishing trade, he looking upon the fishery as the most likely thing to produce wealth and power at sea for the Plantation. Capt. Salisbury is arrived; will send a clear account of all as soon as he has his Royal Highness's opinion. Presents his service to himself and lady. *Printed in New York Documents, III.*, 232–234. 3 *pp.* [*Col. Entry Bk., Vol.* 70, *pp.* 19–21.]

Sept. 15. Barbadoes.

670. Edwin Stede and Stephen Gascoigne to [Sir R. Southwell ?]. Cannot yet prevent the presumption of interlopers who brave his Majesty's authority. Formerly wrote about the ketch which came hither with negroes belonging to Morris and Fowell, 10 of which they seized; after which said Morris and Fowell sold her to Vaughan and Middleton, who it was apprehended designed to fit her again for Guinea, and therefore obtained the Governor's order that she should come into port or depart the island. But the owners and master obeyed neither, nor could they prevail with

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Capt. Heath or Chevall to send boats and men to take her. Whereupon, seeing she daily took in goods, Stede, as Collector of Customs, ordered his boat, with 3 waiters, to go on board and search for uncustomed goods and set the broad arrow on the mast; but after many threats they shot several muskets and forced the officers on shore. Presented enclosed petition to his Excellency, who had no vessel to send out; but in the nick of time his Majesty's ship Foresight and another came to anchor, and the ketch sailed immediately. It is evident the people will no more obey Acts of Parliament than his Majesty's Patents, the collection of customs being settled by Act. *Endorsed,* "A paragraph of a letter from Edwin Stede, Esq., and Mr. Stephen Gascoigne, in Barbadoes." 1 *p.* [*Col. Papers, Vol.* 35, *No.* 19.]

Sept. 16. **671.** Papers read before the Committee of Council for Plantations, viz.:—Letter from Sir Chas. Wheler to Sir Robt. Southwell [*see ante, No.* 660], and Sir R. Southwell's report of his discourse with Sir Chas. Wheler about amending the draft of a memorial for reparation to be made to the planters in St. Christopher's, viz., Having on the 5th and 6th instant exposed to Sir Chas. Wheler's amendments the draft of the memorial which lies before their Lordships, Sir Charles observed to the 1st Article, That the ill-usage from the French arose chiefly from their attempt of imposing an oath of fidelity to the French King, whereof no mention being made in the capitulation the common people of the English were so incensed that they left their houses and fled and the French entered and demolished them. 2, To this must be added that all contracts being in French the English were ignorant of what they had signed, and in some cases the French proceeded by threats of imprisonment, as in Freeman's case when he refused to sign. 3, Stet. 4, The word "Plantation" is not so proper as the words "on the English part of the island." 5, Add, That the said delay was the utter ruin of the English interest, in regard that despairing of ever returning they settled themselves in other parts of the world and in that time the value of ameliorations might exceed the principal; plantations not sold were so overrun with weeds as to be less valuable than new ground, and the mean profits were detained. 6, He remembers no such case. 7, M. Colbert and Lord Arlington agreed to refer meliorations to the parties concerned, with the Commissioners to assist; and M. de Baas and Sir Charles agreed that surveys should be taken of the meliorations and pejorations, and if the parties and Commissioners could not agree the decision was to be left to them, but through the discord of the Commissioners such surveys were delayed and never presented. 8, Instead of "publication of the Articles of Breda," must be said, "publication of liberty to be given to the negroes to come in and make their choice." 9, M. de Baas and the French Commissioners always insisted on having the advantage of the double contracts, *i.e.*, it seems that by the style of France there is always mentioned a greater value paid in the contract than is really received, that the seller might less think of redeeming his lands, but the English not holding themselves obliged to pay more than the just

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value received were kept off, and this contention wasted the time till the year and a day had elapsed. 10, Nothing of this happened during his time. On the other points of the memorial Sir Charles added to the 1st, That to the best of his memory none were refused their lands, but the goods thereon and the wastes committed were the points contested, and are therefore fit to be separated, for the lands whose proprietors did not return, were yet restored, and called the King's lands and at the King's disposal. 2, To this he queries, How shall any adjustment be made when all the English say their estates are worsted, and the French that they are improved? 4 and 5, M. de Baas agreed to both points, but said, "Take both the persons if you can find them who did the wrongs, and the things you inquire after." 6, This being subject to replies and delays might be as well laid aside. 7, He advises that the particular means of adjusting differences be set down and negotiated here rather than referred to agreement there, which will not easily be ever consented to. 8, From whom is such satisfaction to be expected? For the French planters impute those wastes, &c., to hurricanes and time, and though the English have been eye-witnesses of many of their spoils, they cannot bring the proof home to particular persons; and if the French King should impose reparation on the French planters, he does not think them able to make any tolerable satisfaction. Thus much Sir Charles said he had done in obedience to their Lordships' commands and in the way they were going; but that in a paper of his own he would present what he thought most expedient for the security of St. Christopher's and the other Leeward Islands. 13 *pp.* [*Col. Entry Bk., XLVI., No.* 14–27.]

Sept. 16–17. Whitehall. **672.** Minutes of the Committee of Trade and Plantations. Sept. 16. Letter from Mr. Cranfield and the other Commissioners of Surinam of 25th June, setting forth the good progress of their business, read and well approved. Their Lordships find a want of maps, and the account given in by Mr. Slingsby ordered to be inspected, and the things paid for, for their Lordships' use. Letter of 2nd instant from Sir Chas. Wheler read in part, being new animadversions on memorial about St. Christopher's, and a new draft made his own way; but their Lordships, not liking the matter, did not read far, but read again his amendments of 7th July. Their Lordships' reflections thereon. It was proposed to have the opinion of Sir Leoline Jenkins and Dr. Lloyd on the Treaty of Breda, whether any meliorations or reparations are thereby to be considered.

Sept. 17. Ordered, that Sir Chas. Wheler and Mr. Slingsby attend the Lords to show what proofs there were to support the complaints in the Memorial, &c., and how Sir Charles makes out his observations. 2 *pp.* [*Col. Entry Bk., No. CIV.*, 35, 36.]

Sept. 20. Jamaica. **673.** Governor Lord Vaughan to Sec. Sir Joseph Williamson. Advises receipt from the Commissioners sent to Surinam of a letter from his Majesty. About 10 days since arrived three of he Majesty's hired ships, with 1,100 or 1,200 whites, blacks, and

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Indians that the Commissioners had removed from Surinam. All seem exceedingly satisfied with coming hither; and has, according to his Majesty's instruction, received them with all the friendship and kindness possible, allotted them double the land usually granted, and required all persons to assist them with whatever they want at moderate rates. Has, on their own desire, transported the poorest to the leeward part of the Island, where the Surinamers which came with Gen. Bannister are already settled; the more wealthy intend to disperse themselves, and being so well furnished with slaves and all other necessaries for planting, will in a short time make very considerable plantations, and be much better settled than ever they were at Surinam. Has received from the Commissioners list of the persons put aboard the Hercules and America, and since they came into harbour has mustered all that were brought. Will send by the next ships fair lists of both. The flyboat Henry and Sarah left the Commissioners in the river of Surinam, and came without any Orders or Despatches, so no list was taken of her passengers till her arrival there; she is since sent down to the westward with those Surinamers desiring to be transported thither, and on the Master's return his breach of orders and the whole matter shall be examined, and when the other ships are unladen he will make up the accounts with the Captains concerning the King's provisions put aboard them, and return duplicates to the Commissioners of the Navy. Mr. Cranfield, about 4 days before his arrival, going aboard the America to examine the Captain concerning the King's provisions to be delivered to the passengers, and the Mate giving him very unhandsome language, he struck him with his cane and ran the point of it into his eye, whereof next day he died; on complaint whereof Lord Vaughan issued a Commission for trial of the fact on the Statute of Henry VIII., and the best gentlemen of the Island being returned of the jury, they found it chance medley; for which Mr. Cranfield has sued out a pardon under the Broad Seal of the Island, and has since himself complained against some of the Captains, and a poor man that came from Surinam in his own sloop, for breach of orders and other misdemeanours; on examination will send an account and his opinion thereon, as the King's letter appoints. No ship from England these 6 weeks, and hopes the next will bring advice of the receipt of his by Sir T. Lynch. Exceedingly desires to know how his Majesty and his Royal Highness resent the miscarriage of Knapman, and his declaring Sir H. M. to be the true cause of it. Is every day more convinced of his imprudence and unfitness to have anything to do in the Civil Government, and of what hazards the Island may run by so dangerous a succession. Sir Henry has made himself and his authority so cheap at the Port, drinking and gaming in the taverns, that Lord Vaughan intends to remove thither speedily himself, for the reputation of the Island and security of that place, though he pretends it is only to change the air, having lately had a fever. His Majesty's speedy resolution on what Lord Vaughan proposed would exceedingly satisfy all the sober and wealthy people, who are very doubtful of what may happen in case of his death or absence; in all else they are fully

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satisfied and everybody bent on planting, which will be much improved by the arrival of these people from Surinam. Expects great numbers, and some of the best quality from Barbadoes; and Col. Freeman, lately come from St. Christopher's, says the people there are almost quite undone by the hurricanes and the French, and would all, if they could, remove hither. The Royal Company have of late very well supplied them with negroes, though at extraordinary rates, none being sold under 22*l.* per head ready money. What does the most injury is, that our right of cutting logwood is not yet determined, so that that trade can neither be made profitable, nor so governed as to exclude strangers, which might easily be done were the coast once asserted and affixed to this Government. At present the New England men reap the whole profit, and his Majesty receives no Customs for it, and unless his Majesty's authority be settled there they will, under colour of their patent, make the trade of most of the Plantations (as they have their own) independent on that of England, nor will the late Act of Parliament restrain them. It much imports his Majesty's interest that this point be timely considered, and possibly this is a juncture his authority might be easily established, the Indians being in rebellion against Plymouth and the Massachusetts, and not like to be reduced this winter. 2½ *pp.* [*Col. Papers, Vol.* 35, *No.* 20.]

Sept. 20. Bay Bulls, Newfoundland.

674. [Mr. Page?] to [Sec. Sir Jos. Williamson?] Arrived at St. John's Harbour 11th July, 4 weeks after departure from Plymouth, found the Swan with 40 or 50 merchant ships, and sailed 3rd Sept. for Bay Bulls to make up their fleet. There are here 175 ships, which employ 4,309 men in 688 boats, and have taken 172,000 kentalls, which at 12*s.* per kentall is 103,200*l.*, besides train oil and core fish to the value of 12,872*l.* The inhabitants are 1,655 men, women, and children, with 277 boats, and their concerns amount to 47,363*l.*; and all or most of the things laid to their charge by the merchants, desiring their removal, proved false. If removed they design to settle amongst the French on the other side Cape de Race. Most of the ships are gone 2 and 3 in company, making a jest of convoy; so that if Sir John has 30 convoys, believes that will be the most. The French fish to northward and southward, have 2 men-of-war for convoy, and rendezvous at Trepassey near Cape de Race; the St. Malo fleet of 20 considerable ships goes without the men-of-war, and 40 or 50 sail with convoy. It will be the 25th before they sail, the weather having hindered the fish from curing. Will punctually observe his commands in the Straits, and would have sent him some fish but could not meet with any ship of Weymouth. *Endorsed by Williamson,* "R. from Mr. Page." 1½ *pp.* [*Col. Papers, Vol.* 35, *No.* 21.]

Sept. 22. Port Royal, Jamaica.

675. Edw. Cranfield and Marcus Brandt to [Sec. Sir Joseph Williamson]. Their last of 13th August only advised of their departure from Surinam, without particulars since Capt. Dickenson left, by reason it is a frequent custom with the Dutch to open

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letters. The ships being laden and his Majesty's subjects on board, directed the Commanders to issue provisions as ordered by the Commissioners of the Navy Board and mustered the passengers in the Hercules and America at the mouth of the river, but the Henry and Sarah went away without sailing orders and arrived at Jamaica a week before them. Were forced to consent that the families of the removers upwards of seven years old should be victualled from the time of their coming aboard to the day of their landing, though it was at first 12 years old. On 9th August before they passed the Fort of Surinam, the Governor sent to demand all the free Indians on board; but some having voluntarily returned, they were demanded again, and all on the Hercules and America delivered to the Commander of the Snow in the mouth of the river, yet he protested against carrying them away, though at request of his Majesty's subjects who alleged they were domestics and had lived many years in their families and had wives and children. Send copy of his protest, and copy of theirs also, for detaining the Hebrew nation, with list of such as are willing to transport themselves and estates to Jamaica; others resolve to go when occasion shall present. On 13th they got over the Bar. Next day not seeing the Henry and Sarah they sent their clerk back with the order for delivery of the free Indians and her sailing orders, but a small sloop belonging to one Davis, bound for Jamaica, told them she sailed away in the night. Made their way direct for Jamaica, where all the removers desired to go. Cranfield and others went aboard the America to speak about the passengers complaining of want of water to Capt. Paxton, who lay sick, and Thomas Young the Mate behaving rudely, Cranfield with a bamboo cane went to push him away and unfortunately ran it into his eye, of which he died. On arrival at Jamaica, 8th September, he surrendered himself to the Captain-General, and on the 14th there was a trial and the fact found chance medley. The passengers on the Henry and Sarah desiring to settle to leeward, his Excellency ordered the ship to carry them to Blewfield's Bay, and she is not yet returned; the America will be unloaded the 21st instant, and the Hercules the 24th. The Commanders not having yet delivered the provisions to the passengers, they can give no account of the sale of the surplusage. Send list of all his Majesty's subjects and slaves transported in his Majesty's three hired ships from Surinam, and lists to the Hon. Saml. Pepys of those victualled and not victualled. By the first opportunity Cranfield will come for England. *Encloses,*

675. I. Demand by P. Versterre, Governor of Surinam, from his Majesty's Commissioners, that all the free Indians that are aboard his Majesty's ships may be put on shore to prevent all the mischiefs that may arise by their carrying away, from the cruelties the heathens are wont to practise. *Dutch.* Surinam, $\frac{9}{19}$ August.

675. II. Translation of preceding. Also answer of the Governor concerning the Hebrew nation. $\frac{11}{21}$ August.

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675. III. Protest of the English Commissioners against Gov. Versterre for refusing their demand for the removal of the Hebrew nation, and free Indians that are domestics to his Majesty's subjects, having lived many years in their families. Which being read to the Governor, he sent the following answer in Dutch, dated $\frac{11}{21}$ August 1675. Will always be ready to let the Hebrew nation pass when he shall have received more express orders from his masters, but meanwhile believes he has satisfied the Commissioners demand in giving leave to all that were free denizens of England. The Indians he is constrained to detain from a report spread by their friends that the Dutch had sold them to the English for slaves, and that they would revenge it; so that he continues his protest that they be delivered, having not yet received them. $\frac{11}{21}$ August.

675. IV. Protest of Peter Versterre, Governor of Surinam, against his Majesty's Commissioners for carrying away the free Indians. Having desired the Commissioners to put on shore certain free Indians, and notwithstanding having notice that there are yet 30 on board designed to be carried away, which not only contravenes the orders but may cause the total ruin of the Colony, in that their friends (people without reason) will accuse the Dutch to have sold them to the ships, whereby nothing else is to be expected by the remaining nation but an utter destruction, he protests that the Commissioners carry them not away, and demands (in case this be not effectual) satisfaction for all mischiefs and bloodshed that may ensue. (*In Dutch.*) To which the Commissioners answered, That part of the free Indians had been sent on shore, and if any more were on board they should be delivered; that they would make publication on board that if any person privily conceals them, it must lie at their doors, and would use all care to give compliance in this or anything else his Honor should demand. $\frac{11}{21}$ August.

675. V. A list of such persons of the Hebrew nation willing to transport themselves and estates to Jamaica but hindered by the Governor, yet humbly request another occasion, numbering 10 with 322 slaves. Several others resolve to go when occasion shall present.

675. VI. Publication by his Majesty's Commissioners (for Surinam). Having received an Order from Governor Versterre, demanding all the free Indians from on board his Majesty's hired ships, and being informed that some are privily concealed on board, they strictly require the Commanders and all his Majesty's subjects not to carry away any free Indians, as they will answer the contrary (except one free Indian belonging to Mr. Arthur Norris to which the Governor gave his concession), ordering them to deliver all said Indians to the Commander of the Snow, who

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has orders from the Governor to receive them so soon as the ships should come to anchor over the Bar at the mouth of the river of Surinam.

675. VII. A list of his Majesty's subjects and slaves transported in his Majesty's ship Hercules from Surinam to Jamaica, viz.:—Andrew and Dolorosa Knight, Ferdinando and Lucretia Woodstock, John and James Jennison, John Lawtis, John Horne, Thomas Sparkes and Thomas Abraham, Christians, with 64 slaves (the names are given); Major Rich. Scott, with 33 slaves; Hierome and Jane Westhorpe, and John and Mary Creamour, Christians, with 50 slaves; George Gordon, and George Gordon, junr., and Mary Hawkins, Christians, with 26 slaves; Samuel and Eliza Tare, and Benj. Holeman, Christians, with 12 slaves; Arthur and Mary Norris, John and James English, Mary Norris, junr., Grace Norris, Daniel Ohane, Will. Johnson and John Tayler, Christians, with 44 slaves; Matthew Eliza Hide and Mary Eliza Hide, junr., Christians, with 35 slaves; Dorothy Wayle and Eliza Render, Christians, with 83 slaves; Arthur Gally, Robert Hudson and George Tindall, Christians, with 42 slaves; William, Mary, William, Philip and John Yearworth, Christians, with 15 slaves, belonging to Aaron de Silva; Isaac de la Parr, Overseer, and Gabriell de Solis, with 33 slaves; William and Dorothy Boone, James and Joane Grimes, Samuel Earle, and Anne Matthews, Christians. Total, 53 Christians and 449 slaves. List of those transported in his Majesty's hired ship America to Jamaica, viz.:—Mary Urpith, Adam and Dorothy Braythwaite, John and Sarah Urpith, and Robert Hurtly, Christians, with 77 slaves; William and Jane Davidson, Tho. and Anne Robinson, Christians, with 12 slaves; Elias and Jane Ely, Mrs. Sarah Ely, Elias Ely, Sarah Ely, and John Sherwood, Christians, with 34 slaves; Oliver and Jane Hampton, and Philip Shaw, Christians, with 37 slaves; John and Penena Horton, John Horton, junr., and Nich. Colegate, Christians, with 19 slaves; William and Mary Smith, William Thomas, Richard, Sarah, and Mary Smith, Joane Starky, Saml. Gates, Christians, with 25 slaves; Peter Manton, Margaret and Eliza Manton, and Solvodore, Christians, with 16 slaves; John, Katherine and Mary Woodward, Christians, with 8 slaves; John Spencer, with 8 slaves; Walter and Amy Greene, Christians, with 2 slaves; Edward and Sarah Saule, Christians, with 26 slaves; Henry, Mary and John Long, and Henry Robinson, Christians, with 11 slaves; Henry and Mary Ferrers, Mary Ferrers, Jeremy, Katherine and Mary Chase, Christians, with 20 slaves; William, Martha, Mary, and Martha Vaughan, Sarah Viccers, James Baker, Mingo and his wife, Christians, with 15 slaves; John, Margett, John and Thomas Pearson, Sarah Holland, Samuel Bacon, Rich., Eliza, John and Mary Armstrong, Christians, with 38 slaves;

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John, Joane, and John Jones, and John Rose, Christians, with 1 slave; Ralph and Rebecca Larkin, and Ralph and Rebecca Larkin, with 3 slaves; Thomas and Frances Gamball, Christians, with 3 slaves; Roger, Bridgett, and John Phillips, Christians, with 2 slaves; William and Eliza Slade, William Slade, and Grace Slade, Christians, with 10 slaves; William and Eliza Whaley, and Richard Loftus, Christians, with 4 slaves; Richard and Prudence Dunn, Christians, with 2 slaves; John and Anne Hanes, Sarah and Patience Haxby, and Rebecca de la Ware, Christians; Eliza Sutton, Anne Larke, and Dorothy Lowe, with 1 slave; William and Margett Carpenter, and Charles Bray, Christians, with 1 slave; Robert and Alice Browne, Christians, with 2 slaves; Thomas Cotton, Christian, with 1 slave; Andrew, Alice and Hierome Clifford, and John and Alice Harwood, Christians; Joyce, John, and Sarah Biggs, Christians, with 3 slaves. Total, 116 Christians and 381 slaves. List of those transported in his Majesty's hired ship Henry and Sarah, viz.:—Anne Waller, daughter and a little negro, with 12 negroes and 2 Indians; Charles Graves, wife, 2 children, maid, and 3 little negroes, with 16 negroes and 6 Indians; Austin Gabriell, maid, and 2 little negroes, with 13 negroes and 2 Indians; Will. White, wife, daughter, 3 little negroes with 14 negroes and 1 Indian; Will. Pauer, wife and son; Teag Matemarah and wife, with 1 negro; Alexr. Godding, wife, 2 children, and 4 little negroes, with 10 negroes; Alex. Wilson, wife, child and 1 little negro, with 4 negroes and 4 Indians; Henry Pearson, wife and 2 children; Edwd. Wooton, with 2 little negroes, and 5 negroes and two Indians; Thomas Wright, wife and maid, with 4 negroes; Peter Clerke, wife and sister, with three negroes and 3 Indians; [Will. Davis, wife and child, John Smith, John Westwood, and William Fowler, with 19 slaves belonging to Davis]. *The names in brackets are not in this List, but appear in another List, No.* 677 I. Will. Creek, wife and 4 children; Will. Heath, wife, 3 children, and 2 little negroes, with 4 negroes and 3 Indians; John Morris, 2 little negroes, and 4 negroes; Abrah. Baker; John Chambers, wife and 2 children, with 6 negroes and 1 Indian; Edward Edy, wife, 2 children, 2 whites and 5 negroes; Alex. Simms, 2 little negroes, and 5 negroes; Samuel Pincheon, wife, 2 children, and 1 negro; Thomas Scattergood, a child, and 1 negro; George Mascall, a little negro, 3 negroes and 2 Indians; Samuel When, wife, 1 negro and 1 Indian; Robert Gheste, with one Indian; Stephen Fisher, wife, 1 child, 2 little (*sic*) 3 negroes and 1 Indian; Leonard Pollard, with 1 negro; Saml. Starling, wife, 2 negroes and 2 Indians; George Carter, Daniel Young, Isaac Richardson, Will. Ruddyford, Tho. Foster with 3 negroes, and James Watkins; Total 81 Christians, 31 Indians, and 120 negroes;

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Total in the 3 ships (and sloop), 1231. Also a general list of the English that depart from Surinam to Jamaica with the number of their slaves. *Together*, 25 *pp.* [*Col. Papers, Vol.* 35, *Nos.* 22, 22 I.–VII.; *also Col. Entry Bk., Vol. LXXVIII. pp.* 106–118.]

Sept 22. Port Royal, Jamaica. **676.** Edw. Cranfield and Marcus Brandt to Secretary Williamson. Duplicate of preceding letter, omitting the last paragraph; and of all the enclosures. [*Col. Papers, Vol.* 35, *Nos.* 23, 23. I.–VII.; *also Col. Entry Bk., No.* 78, *pp.* 119–131.]

Sept. 22. Port Royal, Jamaica. **677.** Edw. Cranfield to (Sir Robt. Southwell?). Almost word for word the same as the letter of Edw. Cranfield and Marcus Brandt of this date, except the last clause about enclosures. Has brought from Surinam 250 whites, and 980 slaves. *Endorsed*, "Read at the Comm^{tee} the 6th of Octob^{r} 1678." *Encloses*,

677. I. Another list of the names of his Majesty's subjects and their slaves transported from Surinam to Jamaica in his Majesty's hired ships Hercules and America. The Henry and Sarah going away from us at Surinam without her sailing orders could not take a particular list of the names, but the whole number of whites and slaves is 232. *Together*, 13 *pp.* [*Col. Papers, Vol.* 35, *Nos.* 24, 24 I.; *also Col. Entry Bk., No. LXXVIII.*, 132–135.]

Sept. 23. **678.** The King to Sir Jonathan Atkins, Governor of Barbadoes. Understands by his letter of 30 June last to Sec. Coventry that six persons have been tried for the murder of Capt. Swanley, Master of a ship bound for Barbadoes, five of whom were found guilty and three executed, but William Knowles and William Sherlock reprieved, the one only assisting to throw Capt. Swanley overboard when dead, and the other being at the helm pushed him back to prevent his misfortune. His Majesty has thought fit to issue his pardon under the great seal to said Knowles and Sherlock, and the Governor is authorised to set them at liberty on giving security for their good behaviour in future. 1½ *pp.* [*Col. Entry Bk., Vol.* 110, *pp.* 77–78.]

Sept. 23. Spring Gardens. **679.** Sir Robert Southwell to Mr. Bertie. The Committee for Plantations propose two queries: (1) whether all Governors abroad have taken the oath to perform what the Act of Navigation requires, and before whom they do it; (2) whether all such Governors return the bonds they are to take according to the Act, and who have omitted the same. Desires the answer of the Commissioners of the Customs. [*Col. Entry Bk., No.* 97, *p.* 21.]

Sept. 23. **680.** Certified copy of charter party between Richard Hall, merchant, of New York, and the owners of the ship Nevis, factor about 100 tons, riding at anchor in Rhode Island, and William Dervall and William Williams, merchants, of New York, for a voyage to Jamaica and the Bay of Campeachy to take in eighty tons of logwood for New York or Boston, as shall be agreed. 1 *large sheet.* [*Col. Papers, Vol.* 35, *No.* 25.]

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Sept. 24. Whitehall. **681.** Minutes of the Committee of Trade and Plantations. The Minutes of April 22, May 1, and May 24, read, in order to open the state of Messrs. Mason and Gorges' pretensions in New England, but the business put off to a time of more leisure. The memorial for redress in the business of St. Christopher's to be prepared with haste, and Sir Chas. Wheler and Mr. Slingsby to be called on for the vouchers of the many allegations therein specified touching the injuries of the French. Discourse on the return of Mr. Cooke from Madrid without any redress of injuries sustained in the West Indies; and letter read from Sir W. Godolphin showing how indifferent the Spaniards appear to our friendship or enmity owing to the late proceedings in Parliament, and that foreign ministers there testify as much in reference to insolencies from those of Ostend, and the privateers of Biscay, and injuries suffered from the Spaniards. Report by Mr. Secretary of a letter from the Duke of Courland, desiring his Majesty's protection touching his pretensions to the island of Tobago, but the Lords said it was not fit for his Majesty's concern if the Duke would not hold it under his Majesty. Proposal to have Greeks from Morea, &c., to plant in the West Indies, discoursed and laid aside as a thing of charge. Copy of Colonel Stapleton's letter of 18th February last, touching the exploit in San Dominico, to be given to Colonel Warner in the Tower. Complaint of Sir R. Southwell that it was impossible for him to make searches up and down in offices, and put together the patents and charters of all the plantations, &c., as directed on 24th May last, without some help, his Majesty to be moved for some allowances. Mr. Sec. Williamson had a list of said patents, and where to find them, and was about some narrative which when perfected he would expose to the Lords. 3 *pp.* [*Col. Entry Bk., No. CIV.*, 37-39.]

Sept. 28-29. **682.** Minutes of the Assembly of Barbadoes. An Act for the Settlement of the Militla passed. Ordered, that the Treasurer pay out of the excise on liquors to the gunner, mate, and matrosses of Charles Fort, 15,840 lbs. of Muscovado sugar for salary; also to Thomas Harte, 2,880 lbs. of sugar, gunner of Willoughby's Fort; and that he give credit to James Houlsworth, merchant, for the duty of 9 pipes, 2 hhds. of Madeira wine, turned eagar and unsaleable. Resolved, on petition of Thomas Cullam in relation to hire of his boats in the war time in 1666 and 1667, that the Assembly are in no way concerned therein. Resolved, that the presenting of something to his Excellency for his charge of holding the last general sessions, and for his support in the Government, lie under consideration till the morning; as also an Order from his Excellency and Council for payment of the charge of the Commissioners sitting upon examination of negroes. Motion that the Assembly again address his Majesty touching the 4½ per cent., setting forth the great and general calamity the island lies under by the late dreadful hurricane, to the destruction not only of their buildings, but crops of canes; as also for a supply of servants from Scotland to strengthen the island against the outrages of the negroes, laying before his Majesty their late plotted rebellion; and to move that

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the late Custom laid on the growth of Barbadoes transported to New England may be taken off, the island already suffering great scarcity, the former trade in provisions from thence being much decayed by reason of that impost.

Sept. 29. Ordered, that the Treasurer credit John Strode and John Tibbotts on their accounts of Excise for the duty of six pipes of Madeira wine turned eagar and unsaleable; also that he pay to his Excellency 200,000 lbs. of sugar out of the imposition on liquors imported, presented by the country for the support of the Government, and that the concurrence of his Excellency and Council be desired. Adjourned till Tuesday come 7 weeks. 3½ *pp.* [*Col. Entry Bk., No. XIII.*, 193–196.]

April 6 to Sept. 29. **683.** Edwd. Cranfield's Narrative of Proceedings upon his Majesty's Commission and Instructions of the 28th Mar. 1675, for the bringing of his subjects from Surinam. Sailed 6th Apr. from the Downs, and from Torbay on the 12th; met some ships on 21st, and wrote by them to Sec. Williamson, as follows (*see ante, No.* 527); anchored at Madeira 27th, where the Governor refused to return gun for gun, and declared that unless they would enter the King's ship as a merchantman they should not have so much as a drop of water, whereupon they resolved to make the best of their way to Surinam. The merchants of the place being debarred coming off to them sent the following letter to the King's Commissioners, signed by John Shattocke, Madeira, 27 April. Cannot express their resentment for the unmannerly behaviour of their unworthy Governor, who hath a second time rejected his Majesty's concern that have touched at the island to buy refreshment. Have some days since dispatched their complaints both for Portugal and England, and hope for a speedy redress, for he did the same with Lord Vaughan and Sir Thos. Modyford. Has not spoke with the Governor himself since Lord Vaughan departed, for whose sake the Governor is continually molesting him; has forced away one of his servants, limited him a time for stay on the island, yet will not let him compose his affairs, nor pay him a penny of above 5,000 crowns he has owed him these two years. The answer of Edw. Cranfield, dated the same day, thanks them for their generous resentment of their reception by the Governor, and he is not less concerned to hear of their barbarous treatment, of which he has given account to the Secretary of State. Thanks them for their letter of credit to the Canaries, but having no orders is resolved not to touch there though they come short of water. Then follows copy of Cranfield's letter to Sec. Williamson (*see No.* 542). Sailed the same night, and 14th May met two ships, and wrote to the Secretary of State with duplicate of their former letters (*see No.* 560). Arrived at the river of Surinam the $\frac{2}{12}$ June, and dispatched a letter to the Governor giving notice of their arrival and desiring him to send a pilot; copy of their letter. The $\frac{4}{14}$th June Cranfield and Brandt taking with them all the letters from the States-General, the Prince of Orange, and the States of Zealand, landed at Paramaribo, the residence of the Governor, who received them with civility, and had a list of those that had then given in their

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names to remove, by John Trott, who had directions in case of Capt. Baker's death, who died before the Advice boat arrived, to execute his Majesty's instructions. The next day the Governor published at Paramaribo and Toororica the orders from the States-General, and on $\frac{10}{20}$ June a Proclamation, signed by Governor Versterre and the King's Commissioners, appointing the 30 June/10 July for deciding all differences concerning debts between the Dutch and Hebrew nation and English; ordering them to draw their accounts of debtor and creditor between themselves, discounting one debt with another as much as possible; and giving notice to all that will depart that his Majesty's ships will make no longer stay than 4 or 5 weeks from their arrival. The Governor having granted permission to confer with his Majesty's subjects, the King's Commissioners sent a letter to acquaint them with the provisions his Majesty had made for their transportation and settlement, and to desire them to repair on board the America. Copy of said letter, dated 9 June 1675. Afterwards they visited in person the several divisions, to encourage them to embark and inform themselves of each man's case that might fall under debate at the General Court, and found they would all be in readiness to embark the 26 July/5 Aug. Took care to avoid menaces which was also observed by the Governor, but some of the Dutch raised a report that they were to be carried to Providence, next the Bahamas, which a little startled the common people. Their demands concerning debts owing by the Dutch, and the cattle, provisions, and other goods taken during the war were fairly complied with. The Jews who were inhabitants at the time of surrender, having demanded transportation with his Majesty's subjects, the Governor said his orders were only to let the English go, and produced a Dutch translation of the Articles of the late Treaty; but they told him they were to be governed by the Latin original, which used the word subject, which the Jews were to his Majesty before the articles of surrender, and that Scotch and Irish might be as reasonably detained as Jews; whereupon he made publication that they were free to depart, and several sold their estates and made preparation for departure, and desired his Majesty's Commissioners to move the Governor to appoint some persons to settle all matters between the Dutch and them, which they did. Copy of the Commissioners' letter dated from on board Hercules, $\frac{6}{16}$ July. At the same time there came a ship from Zealand, by which the Governor pretended to have received orders not to suffer the Hebrew nation to remove, but he would not, neither indeed could he produce these orders. Mr. Cranfield found from the Major of the garrison that a list had been taken of the Dutch inhabitants, and that there were but 130 besides the garrison who, with the merchants in the town, consisted of about 140 more. The Governor finding more Jews would depart than he expected, feared it might too much weaken the colony. With much importunity the Governor gave way for Sigr. Aaron de Silvis to send off 33 slaves under an overseer, but finding the Governor deaf with regard to the rest the Commissioners resolved to protest against him the day before their departure. In 4 days all matters were brought to a final

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determination at the General Court, according to equity. The Governor's "Publication" that discounts and transferring of debts be accepted by creditors as payment. The Commissioners found that the English in general were rather creditors than debtors, and had good debts to satisfy what they owed; except one, Wm. Wyat, whose land, cattle, and some moveables were valued on oath by English and Dutch men, by which means he removed with his family and slaves. One Rowland Simpson selling two plantations in Nov. 1674 to Messrs. Pringall and Henry Mackentosh, and to Francis Browning to be paid by half-yearly payments, hindered their removing, the Governor and Simpson's agent arguing they could not make void the contract. A debt of Simpson's to Andrew Clifford for 240*l.*, and one of Francis Watson to his brother-in-law Matthew Hide for 21,733 lbs. of sugar, were the only debts unsatisfied due to his Majesty's subjects who removed. Having prepared a list of the passengers and proportioned them to the ships according to their tonnage, it was found an absolute necessity to employ all the ships. The Governor and his officers in all appearances kept themselves within their superior's orders, except the detaining of 2 orphans whose fathers had committed them and their estates to the guardianship of the Governor and Council; and the Jews and Free Indians that had lived many years in the families of his Majesty's subjects as domestics, some of whom came voluntarily on board, and being delivered on the Governor's demand, returned again, on which the King's Commissioners sent an order to the masters of the ships to forbid their transportation. The order of the King's Commissioners about the Free Indians. This order was no sooner published than great discontents arose on board, and on request of the masters of the Indians the Commissioners protested against the Governor for hindering the free Indians and Jews from coming off, the Governor afterwards did the like against the Commissioners for carrying off the free Indians, notwithstanding their care to prevent the Indians going off. The Commissioners protest. It was proposed by the Governor mutually to sign an instrument to acknowledge everything had been accommodated according to the Articles and Orders, excepting the particulars mentioned in the protest; but believing that which concerned the Jews to be of importance, his Majesty's Commissioners thought it not reasonable, the Jews being in the same condition as his Majesty's natural-born subjects. Took leave of the Governor 12th Aug. 1675, and all his Majesty's subjects petitioned to be transported direct to Jamaica without touching elsewhere, no person wishing to go for England or Virginia. Their petition signed by Edward Saul and 28 others. Found on arrival at Surinam the provisions in good condition, except the bread, and gave orders to the several masters for the issue of victuals to all passengers above 12 years of age, which not giving content were obliged to alter it to 7 years. The Henry and Sarah going away without them, and ordered by Lord Vaughan to Blitchfields (Bluefields) Bay, have not heard how they were satisfied with this order. The Commissioners order for victualling to Capt. Geo. Broad of H.M.S. Hercules and Capts. Packston and Piper. To issue to every

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passenger over 7 years on their list, 1 lb. of biscuit, 2 lbs. of beef or 1 lb. of pork, and ¼ pint of oatmeal a day, and 1 pint of oatmeal when they have neither beef nor pork, giving out for 4 days fish and 3 days oatmeal. Copy of order to Capt. Roger Packston of the America, and Capt. Wm. Piper of the Henry and Sarah, for the America to keep company with the Hercules, dated 13 Aug. After a tedious passage they arrived at Jamaica 8th Sept., and delivered his Majesty's letters to the Governor. The Henry and Sarah got there a week before, and was ordered down for Bluefields Bay. Had one James Davis before his Excellency for bringing off a planter and 3 free Indians in his sloop, pressing he might give security to indemnify his Majesty in case the Dutch assigned damages, but his Excellency judged it not reasonable. Were commanded by his Excellency to give him a narrative of all proceedings, but they refused, finding no commands in his Majesty's instructions to that purpose, but gave him copies of all orders concerning the passengers, provisions, and masters of the hired ships. The America being unladen 21st Sept. and the Hercules the 24th, his Majesty's Commissioners left them to their sailing orders, and the Henry and Sarah returning from Leeward 29th was discharged the same day. Have performed this service with their best care, and hope a favourable interpretation will excuse their defects. 21½ *pp.* [*Col. Papers, Vol.* 35, *No.* 28.]

April 6 to Sept. 29.

684. Copy of the above. Mem.—Mr. Cranfield having on the 18th May 1676 presented to the Committee for Plantations the foregoing narrative, and given account of all his proceedings, their Lordships remained satisfied with his behaviour and agreed to their report of 30 May 1676 as contained in his Majesty's Order in Council dated 31 Jan. 1676–77. 24½ *pp.* [*Col. Entry Bk., No. LXXVIII.*, 142–166.]

Sept. 30. Port Royal. Jamaica.

685. Edw. Cranfield and Marcus Brandt to Sec. Sir Jos. Williamson. Have advised of their arrival with his Majesty's subjects, since which, have had James Davis before his Excellency for bringing off from Surinam persons that had not given in their names to the Governor 10 days before departure as directed, all they desired being that Davis might give security to indemnify his Majesty in case the Dutch assigned any damages. He used means to make Cranfield his friend, as appears by enclosed deposition. Would have sent copy of the examinations, but Atkinson, his Excellency's Secretary, denied them, refused his Excellency a narrative of all their proceedings, not being so directed by his Majesty's Instructions, at which he has taken great offence; but they sent him a copy of the orders from the Navy Office, and all that concerned the victuals or hired ships which was in their Instructions; but he will not be satisfied. Presume they are to be accountable to his Honor and not to his Excellency. The number of those brought off is a sufficient demonstration that they have not violated his Majesty's Instructions. Left the America and the Hercules to their sailing orders, but the Henry and Sarah is not returned from the leeward, where she was ordered by his Excel-

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lency to carry the passengers. The Henry and Sarah has come into Port Royal, but have not spoken with the Commander. *Enclose,*

685. I. Deposition of Daniel Eyrs, sworn before Sir Hen. Morgan, Antho. Swimmer, and R. Wilson. At the desire of James Davis he told Cranfield that Davis would give him 20*l.* if he would not prosecute, but he replied that as the King's interest lay at stake 10,000*l.* should not bribe him. Yet Davis has reported that Cranfield sent him to discourse privately with him about the matter, but Eyrs declares that Cranfield never sent him to Davis on any business whatever. 1675, Sept. 19. *Together,* 1½ *pp.* [*Col. Papers, Vol.* 35, *Nos.* 26, 26 I.]

Sept. 30. Whitehall. **686.** Minutes of the Committee of Trade and Plantations. Ordered, that Mr. Attorney-General hasten the Proclamation for bringing in the head of FitzGerald the Pirate from the Havana. Capt. Cooke attended touching the unsuccess of his negotiation at Madrid, Sir Leoline Jenkins to be spoken with, whether Capt. Cooke ought to be sent for reparation to the Havana, or whether it should be made at Madrid. 1 *p.* [*Col. Entry Bk., No. CIV.,* 40.]

Sept. 30. Whitehall. **687.** Minutes of the Committee of Trade and Plantations. Ordered, that Mr. Attorney-General hasten the Proclamation for bringing in the head of FitzGerald the Pirate from the Havana. Capt. Cooke heard touching the ill-success of his negotiation at Madrid for reparation for ships Virgin and Thomas and Mary; Messrs. Littleton, Stamp, &c., also heard on several points touching the answer given by the Queen of Spain. Forty papers transmitted by Sir Wm. Godolphin to Mr. Sec. Coventry (*see ante, Nos.* 640, I.–XL.) touching this affair (many of them) perused; and Sir Leoline Jenkins to be spoken with to-morrow morning, touching the validity of the Queen's answer; whether Capt. Cooke ought to be sent for reparation to the Havana, or whether it should not have been made at Madrid; and whether the valuation made here in the Admiralty should not be conclusive, but a new one be made there, which seems intended by the Queen's order; for by the value of the fifth part assigned to her Majesty, the whole if so paid would be of little importance. The Lords to meet again on Monday afternoon, and petitioners then to attend. *Endorsed,* "Mem.—Sent to Sir L. Jenkins by order of the Lords the 2nd Oct. the letter of Sir Wm. Godolphin to Mr. Sec. Coventry with 40 papers, also 2 letters that belong to the E. of Anglesey. What is the method of reparation by the Treaty? If the method be right, what judgment ought to be made of the reparation proposed?" 1½ *pp.* (*see also No.* 683). [*Col. Papers, Vol.* 35, *No.* 27.]

Oct. 1. Whitehall. **688.** Order of the King in Council. Whereas Col. Philip Warner, late Deputy Governor of Antigua, stands charged with the murder of his brother Tho. Warner, an Indian, and the destruction of other Indians, his Majesty's friends, in the Island of Dominica, for which he remains at present a prisoner in the Tower, and his Majesty being willing to know where the trial of the said facts will properly be, whether at Barbadoes where the information was

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taken and from whom it was sent, or in the government of Col. Stapleton, by whom said Col. Warner alleges to have been employed, ordered that copies of the commissions of Sir Jonathan Atkins, Governor of Barbadoes, and Col. Stapleton, Governor of the Leeward Islands, be transmitted to the Attorney and Solicitor General, that they may report where the trial may most properly be carried on. 1 *p.* [*Col. Entry Bk., No. XCVI.*, 17.]

Oct. 2. Whitehall.

689. Minutes of the Committee of Trade and Plantations. Sir Leoline Jenkins called in, touching the case of Capt. Cooke. Ordered, that the Council Books be searched for all complaints of his Majesty's subjects against those of Spain. ½ *p.* [*Col. Entry Bk., No. CIV.*, 41.]

Oct. $\frac{3}{13}$ Barbadoes.

690. Gov. Sir Jonathan Atkins to Sec. Sir Joseph Williamson. Received his of 8th June and 29th July at same time, ships often taking three months on the voyage; and are often three months without any ships, and never so few has come as this year, which has advanced freight to such a height as considering the low price of the commodity in England it is impossible for them long to continue to make sugars. Intimated this not long since, and has never missed one convenience of corresponding. Gave advice in his last of a damnable design of the negroes to destroy them all. Finds it on more thorough inquiry far more dangerous than was at first thought, for it had spread over most of the plantations, especially amongst the Cormantin negroes, who are much the greater number from any one country, and are a warlike and robust people. Has been forced to execute 35 of them for example, which he believes has set a period to that trouble. But their sufferings are infinitely augmented by a hurricane the last of August last, the ruin of houses, works, mills, sugars, and utensils being incredible, their canes for next year's sugar crop twisted and broken off, their corn and ground provisions that should have kept their families six months, laid flat or rooted up. Never was seen such prodigious ruin in three hours; there are three churches, 1,000 houses, and most of the mills to Leeward thrown down, 200 people killed, whole families being buried in the ruins of their houses, a torrent of rain beat down all before it, unroofing all their storehouses and letting in the wet to their sugars; never saw a more amazing sight in one night, all the trees were stripped of leaves and fruit, all their housing laid flat, and the people in such consternation and distraction that they resolved never to build again but to leave the island. But upon second thoughts many have changed their minds and are repairing as fast as they can, but a great many can never be able to do it. All the prodigious effects of the hurricane would swell into a volume and puzzle belief; 12 ships, some of them laden with sugar, were driven ashore and broken to pieces. The King's frigate "Foresight" saved herself by standing out to sea, perceiving the storm coming; she called from the "Havana" to borrow powder, Jamaica being forced to ask powder of the King's ships, not having 10 barrels in their stores; he lent them 40 barrels out of the country's stores, the King having none here. Has advice of 15 French frigates full

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of land men watering at Madeira; conceives they saw some of them off this island five weeks ago, and expects daily some news of them by a sloop from Jamaica, and will transfer it by New England. Hears they are much infested in New England hy Indians, who have killed many and made great destruction of their outward plantations, forcing the people to fly for safety. This with the great provisions exhausted from them to Virginia, which has been in a starving condition, has caused them to make an embargo on all provisions, to the great prejudice of Barbadoes at this conjuncture. Thanks for the very necessary intelligence received by Sir Joseph's order, and the diligence of Mr. Yard. 2 *pp.* [*Col. Papers, Vol.* 35, *No.* 29.]

Oct. 7. Whitehall. **691.** Minutes of the Committee of Trade and Plantations. Proposed to settle such a draft of a memorial to be presented in the Court of France, touching reparation of injuries in St. Christopher's as may be well justified from matters of fact. Sir Chas. Wheler and Mr. Slingsby called in, and the former draft read and the voucher for each paragraph reasoned on. Mr. Sec. Williamson sends for Sir Charles's Commission and Instructions which are read, to clear some doubt how far he was authorised in what he did about ameliorations. His agreement with M. de Baas is also read, whereon many discourses arose as if the price named in each contract were allowed and the remedy of hardships left only in the consciences and houses of the two Governors. Desire of the Lords to see the particular points which were referred to the two Kings, also Sir W. Lockhart's Instructions, whose Secretary was ordered to return all the papers on this subject given to the Ambassador at his going over. Sir Chas. Wheler's answer of the 2nd September to Sir R. Southwell again read in part, but not approved as any fit way for reparation, he himself acknowledging some mistakes therein. The Books of Entries produced, out of which the late Council by their Secretary Dr. Worseley extracted such a narrative touching matters of fact in the proceedings of the English and French Commissioners as gave warrant to the draft given to M. Colbert, and from thence Mr. Slingsby drew his draft; so that unless their Lordships go over all those sheets they cannot make a new one; but by Sir Chas. Wheler's papers, reparation is made both impracticable and impossible as demanded. 1½ *pp.* [*Col. Entry Bk., No. CIV.*, 41, 42.]

Oct. 7. St. Kitts. **692.** Minutes of Council of St. Christopher's. John Gassan accused of transporting in the French quarter a negro named Fourry, formerly imprisoned for riotous actions against John Chambers, acknowledging same was pardoned and ordered to transport said negro out of this island and bring another instead into the English quarter of this island and make satisfaction to said Chambers for his loss. [*Col. Papers, Vol. XXVIII., No.* 69.]

Oct. 8. **693.** Report of Sir Leoline Jenkins, Judge of the Admiralty, to the King. On view of Capt. Cooke's proceedings in the Court of Spain, and particularly of the two Commissions or sentences given

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by the Queen Regent, it is his opinion that Capt. Cooke must prosecute the effect of those two sentences at the Havana, and must affect the Ministers of Justice there with a denial to execute the Queen's Commissions, or else with such delays as amount to a flat denial, before his cause be ripe for granting reprisals. True the case is sad, and these sentences may be but an amusement to put him off, which seems to be the judgment of Sir Wm. Godolphin, upon which, as a matter of State, Sir Leoline will not offer anything; but as a matter of law, reprisals will not lie where there is neither denial of justice, nor a delay of it amounting to a denial. Argues that it cannot be said that there is a denial; that it could not have been otherwise ordered than that the parties wronged be sent to the Havana for reparation; that Captain Cooke did not sue out any process against Francisco Lopez de Andrade and others of the spoilers who were in Spain whilst he was there; that what may seem hardest is that Capt. Cooke is sent to those that have already flatly denied him justice; and that if they execute the Queen's Commissions they will require a new liquidation and fresh proofs of losses and damages; but to this will be answered in Spain that those of the Havana are now no Judges, but only Ministers to carry out the Queen's award; and that though the proofs made in the Admiralty would have been sufficient to have grounded reprisals on, yet the Queen not having condemned the wrongdoers in the sum demanded, the law there allows the Defendants, being seized, to bring the Plaintiff to a new liquidation. Another mischief is, the wrongdoers may prove insolvent, or be dead or out of the justice of the Havana, but these are accidents for which the Crown of Spain can hardly be made accountable. All these mischiefs together give little hopes of real reparation, yet cannot excuse Capt. Cooke if he pretends to reprisals from prosecuting his sentences at the Havana; for till he has used all diligences that any subject of Spain would be obliged to, he will not be sufficiently founded to obtain his Majesty's letters of reprisal. This will be extremely tedious, chargeable, and uncertain, and can think of but one way to prevent it, viz.: by nominating Commissioners on each side to determine this and all differences arising from depredations at sea. This would bring on such reckonings of the same kind as they at Madrid threaten to charge on his Majesty's subjects; but it would be much the shortest way, is expressly mentioned in the third Article of the Treaty of Madrid, and was the usual course between Queen Elizabeth and her neighbours. The Treaty of America does require a further adjustment, for it appears by the Queen's judgments about the Campeachy wood and other matters, that in Spain they affix a new interpretation upon the Treaty, in declaring what shall be pirate or not pirate, prize or not prize, without communicating with his Majesty, or any publication that may reach his Majesty's subjects. *Endorsed*, "Read at the Committee of Plantations, 1 Nov. 1675. Read again, the 27th." 8 *pp.* [*Col. Papers, Vol.* 35, *No.* 30.]

Oct. 11. Custom House, London. **694.** Report of the Commissioners of the Customs to the Committee for Plantations. Cannot inform their Lordships what persons

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have been appointed to administer the oaths to the Governors of the Plantations, or what has been done by the Governors, as it does not come within their cognizance. On inquiries, find that no such bonds or duplicates as are required by the Acts of Trade have been received from any of the Governors since the commencement of their Commission, nor any lists of ships or bonds from any of the Governors, except from Charles Calvert, Governor of Maryland, who has a salary from his Majesty; bonds and lists of ships laden from 26 June 1673 to 21 July 1674, and by the direction of Edward Diggs, who also has a salary from his Majesty, four copies of bonds from Henry Corbyn, dated Dec. and Jan. 1674, and from the Secretary of the Massachusetts eight bonds, all that were taken in 1674; have also received bonds, &c., from the Governors of Antigua and Nevis. Represent that if the Governors did send bonds, it would be a great means to prevent the fraud used in carrying Plantation commodities to other parts. "Read, 2 Dec." [*Col. Entry Bk., No.* 97, *pp.* 22–25.]

Oct. 11. Custom House, London.

695. Report of Richard Temple and three others, Farmers of the Customs, to (the Lord Treasurer) concerning the returning of bonds from the Plantations. In obedience to his Lordship's commands by Charles Bertie, upon a letter of Sir Robert Southwell touching the trade of New England and those parts, answer to the first point: That though by law it is provided that Governors of his Majesty's Plantations shall take oath before persons authorized by his Majesty to do their utmost to cause the laws to be observed, yet what persons have been so appointed by his Majesty, or what has been done by the Governors, is not within their cognizance; and to the second: That by the Act of Navigation it is provided that the Governors, twice every year, return true copies of bonds taken by them to the Chief Officers of the Customs in London; and by a later Act for regulating the Plantation trade, that the Governors do, once a year at least, return to the Officers of the Customs in London a list of all such ships as shall lade any of the enumerated Plantation commodities, as also of the bonds taken by them. But Sir John Shaw, who is the proper officer, has received no such bonds since the commencement of their Commission; nor have they received any lists of ships or bonds from any of the Governors, except from Chas. Calvert, Governor of Maryland, who has a salary from his Majesty; copies of several bonds, with a list of ships laden from 26 June 1673 to 21 July 1674, by direction of Edw. Diggs in Virginia, who has also a salary from his Majesty; four copies of bonds from Henry Corbyn, dated Dec. and Jan. 1674–75, taken in Rappahannock River; and from the Secretary of the Massachusett's jurisdiction in New England eight bonds, which are all that were taken in 1674; and since the collection of the new duty in the Plantations, whereof some of the Governors are collectors, they have received from the Governor of Antigua copies of bonds and certificates of ships cleared from October 1673 to April 1675; from the Governor of Nevis a list of bonds and certificates from 18 July 1673 to 20 May 1674; and from the Governor of Bermudas the copy of one bond. Humbly offer that

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if the Governors did according to law, send copies of bonds and lists of the ships there laden, it would be a great means to prevent the fraud used in carrying the Plantation commodities to other parts. *In margin,* "Custom Farmers Report. . . . Rec^{d}, Oct. 16th, '75. Read at the Comm^{tee} the 2nd Dec^{r} '75. Mem^{dm}, the original remained with my L^{d} Treas^{r}, and this copy was sent in by Capt. Shales." 2 *pp.* [*Col. Papers, Vol.* 35, *No.* 31.]

Oct. 12. **696.** Report of the Attorney and Solicitor General to (the Lords of the Committee for Foreign Plantations), pursuant to an Order of Council of 23rd June last (*see ante, No.* 603 I.). On petition of Francis Moryson, Thos. Ludwell, and Robt. Smith, Agents for Virginia. That it will be for his Majesty's service to grant and confirm under the Great Seal power to the Governor and Council of Virginia to purchase the lands, &c., contained in the grant to the Earl of St. Albans, Lord Culpeper, and others, and as to that purpose only to be made a Corporation to purchase and retain the same. The inhabitants to have their immediate dependance upon the Crown of England. The Governor to be resident in the country, with other provisoes. 3 *pp.* [*Col. Papers, Vol.* 35, *No.* 32.]

Oct. 12. **697.** Copy of the preceding with this addition :—"Whereupon their Lordships after debate agree upon a report contained in the following order approving the same." *Annexed,*

697. I. Order of Committee of Trade and Plantations. On reading the Attorney and Solicitor-General's report of 12th October about Virginia (*see preceding*), Moryson and another of the Agents being called in, the 4th, 6th, and 9th Articles (of the Heads which said Agents request may be drawn up into a Charter for Virginia, *see ante, No.* 602 I.,) are explained, and in case of death or absence of the Governor, leave to be given to choose a Deputy Governor themselves out of the Council, unless the King nominate one of the Council. All these things are to be expressed as granted to them out of his Majesty's grace and goodness to his subjects and all ordered to be reported to his Majesty in Council. Whitehall, 19th October 1675. [*Col. Entry Bk., Vol. CIV., p.* 72.]

697. II. Order of the King in Council. On aforesaid report touching a grant to be passed unto his Majesty's subjects of Virginia approving and confirming the same and requiring Mr. Attorney or Mr. Solicitor-General to prepare a Bill for his Majesty's signature in order to the passing of Letters Patent for the same. *Two copies.* 3 *pp.* [*Col. Papers, Vol.* 35, *Nos.* 33, 34, 35 ; *see also Col. Entry Bks., Vol.* 96, *pp.* 20–23, *and Vol.* 80, *pp.* 40–46.]

Oct. 17. **698.** Order of a General Court held at James City. That Giles Bland for his scandalous letters read in open Court and false and mutinous reports, assertions, behaviours and deportments towards

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Governor Berkeley which he either would not or could not justify, be committed to the custody of the High Sheriff of James City County until he give good security for his good behaviour, and suspended from his place of Collector of his Majesty's Customs and all other offices in Virginia until his Majesty's pleasure be further known. 2 *pp.* [*Col. Papers, Vol.* 35, *No.* 36.]

Oct. 22. Whitehall. **699.** Order of the King in Council. The Attorney and Solicitor-General this day presented their report touching the trial of Col. Warner, and by what way and method the same might be most properly pursued, his Majesty before taking a final determination is pleased to allow said Col. Warner copy of said report that he may show cause, if any he can, why his Majesty should not proceed by a special Commission of Oyer and Terminer for his trial in Barbadoes accordingly. ½ *p.* [*Col. Entry Bk., No. XCVI.*, 17, 18.]

Oct. 26. **700.** Laws and Ordinances of War passed and made 26th October 1675 by the General Court of the Massachusetts for the better regulating their forces and keeping their soldiers to their duty, and to prevent profaneness that iniquity be kept out of the Camp :— 1. No man to blaspheme the Trinity upon pain of having his tongue bored with a red hot iron. 2. Unlawful oaths and execrations and scandalous acts in derogation of God's honour to be punished with loss of pay and other punishment at discretion. 3. All who often and wilfully absent themselves from the public worship of God to be proceeded against at discretion. 4. Negligent doing of duty to be punished at discretion. 5. Quarreling with a superior officer to be punished by cashiering, and striking such, by death. 6. Departing from his charge or Captain to be punished by death. 7. Every private soldier to keep silence on pain of imprisonment when the Army is to take lodging or imbattalio, so as the officers be heard and their commands executed. 8. No man to resist, draw, lift, or offer to draw or lift his weapon against his officer correcting him orderly on pain of death. 9. Words of sedition or mutiny to be punished by death. 10. Resistance to the Provost Marshal or any other officer in executing his office to be punished by death. 11. They that hear mutinous speeches and do not acquaint their Commanders to be punished with some grievous punishment. 12. Drunkenness in an officer to be punished with loss of place, in a private soldier as a Court Martial may think fit. 12. Rapes, ravishment, unnatural abuses and adultery to be punished by death. 14. Fornication and other dissolute lasciviousness to be punished with discretion according to the quality of the offence. 15. Theft and robbery to be punished with restitution and otherwise at discretion. 16. Murder to be expiated with the death of the murderer. 17. Soldiers, coming to their colours to watch or be exercised or to service, to come completely armed and arms well fixed upon punishment. 18. If any shall negligently lose or sinfully play away their arms at cards or dice or otherwise, they shall be kept as pioneers or scavengers till they furnish themselves with good arms. 19. None shall presume to spoil, sell, or carry away ammunition committed to him, on pain of death. 20. No soldier to outstay his pass without

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a certificate of the occasion under the hand of a magistrate, on pain of losing his pay. By grievous punishment is meant disgracing by cashiering, by the strap pads, or by riding the wooden horse to fetch blood; by arbitrary punishment or discretion is meant not to extend to hazard life or limb. *Endorsed in the hand-writing of Benjamin Batten.* Upon the Quakers' tomb at Boston, "Although our martyred bodies in dust here silent lies, our religious souls for ever live, our blood still vengeance cries." Marmdk. Stevenson, Wm. Robinson. *Printed, see also Palfrey's New England III.*, 172. 1 *p.* [*Col. Papers, Vol.* 35, *No.* 37.]

Nov. 1. Whitehall.

701. Minutes of the Committee of Trade and Plantations. Ordered that all the papers (about Virginia) be sent to Mr. Sec. Williamson to peruse before the report be made (*see ante, No.* 697). Report of Sir Leoline Jenkins of the 8th October in the case of Capt. Cooke, touching his injuries at the Havana, read, and some new queries referred to him. Several other cases of oppression by the Spaniards presented, but not looked into, till this should come to some determination. Copy of Sir Leoline's report sent to the Lord Privy Seal on 29th November the above matter was again debated and a report drawn up to be presented to the King in Council. [*Col. Entry Bk., No. CIV.* 42, 43.]

Nov. 1. Council Chamber.

702. The Secretary of the Committee of Council for Trade and Plantations to Sir Leoline Jenkins. The Lords of the Committee having this day read his report of the 8th Oct. on the case of Capt. Cooke (*see ante, No.* 693), their Lordships desire him to present some certain way how his Majesty's subjects may, without such danger of miscarrying as he foresees, solicit their reparation, and that the method may be such as may also serve the Spaniards in their demands upon us, and their Lordships would also be glad to hear the ways and instances of relief which the English have afforded the Spaniards on any occasion, and what proof ought to be deemed authentic in the liquidation of an account on appeal; whether the proofs made in the Admiralty ought not to suffice, or whether in this case they ought to be made *viva voce* at the Havana. Their Lordships desire his company when he has considered hereof, and hope he may be ready by Thursday afternoon. *Draft with corrections.* 1½ *pp.* [*Col. Papers, Vol.* 35, *No.* 38.]

Nov. 2. St. Jago de la Vega.

703. Minutes of the Council of Jamaica. Colonels Whitfeild, Ivey, Collier, and Byndlosse desired by the Governor to go to Port Royal and confer with the Lieutenant-General as to the most proper means for repairing Fort Charles and securing the harbour, and to make return thereof at the Board's next meeting. Accounts of the Treasury from March to September last presented by Saml. Bernard, examined and ordered to be filed with the Clerk of the Council, and the account current of the contingent charges to be recorded; total, 927*l.* 13*s.* 11*d.* 3 *pp.* [*Col. Entry Bk., No. XXXV.*, 438–441.]

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Nov. 2. **704.** Copy of the preceding order concerning the repairing of Fort Charles, and securing the town and harbour of Port Royal. 1 *p.* [*Col. Papers, Vol.* 35, *No.* 39.]

Nov. 3. Whitehall. **705.** Order of the King in Council. Refers to former orders (*see Nos.* 688, 699). Upon reading petition of Col. Warner representing his reasons against his being tried at Dominica (where the fact for which he is prisoner was supposed to be committed), and also several particulars whereby he doubts not to vindicate his reputation and disprove that accusation laid upon him, and praying to be heard thereon, ordered, that petitioner be heard on the 12 instant as to the jurisdiction of Dominica, whether the same was not part of his Majesty's dominions at the time of issuing his Majesty's Commission to Sir Jonathan Atkins, and whether he ought not to be tried in that place; but as to the justification of his innocence the Board leaves him to make out same at his trial. 1 *p.* [*Col. Entry Bk., No. XCVI.*, 18, 19.]

Nov. 3. Montserrat. **706.** Gov. Stapleton to his brother. At Martinico a squadron of French men-of-war, whose Commander, Marquis de Grancey, is very uncivil to our merchantmen, denying them wood and water, and not admitting any but French colours to be carried in the French roads. Other abuses are given. Will get some depositions about this affair. The bearer is one Capt. Murphy, who traded to Windward, and designs hither next year. Hopes this may find him strengthened. Is bound for Antigua in two days, and to Barbuda so to Nevis. *Endorsed,* "Rec^{d} 28 Jan." ½ *p.* [*Col. Papers, Vol.* 35, *No.* 40.]

Nov. $\frac{4}{14}$. Barbadoes. **707.** Gov. Sir Jonathan Atkins to Sec. Sir Joseph Williamson. Little has occurred of moment since his last, only the fleet that passed proved to be 5 French frigates who convoy a fleet of merchants annually to Martinico and other Leeward isles, and relieve the frigates they always keep there. The ships from New England still bring advice of burning, killing, and destroying daily done by the Indians, and the infection extends as far as Maryland and Virginia, where they have likewise done some mischief. At Virginia they have suffered much from want of provisions this year, so that the Plantations in America are in no very good condition, and are made much worse by the severity of the Act of Trade. This day came in a fly-boat, bound for New England to fetch masts for the King, which was forced off that coast by foul weather; in her came a son of Lord Bedford, much weather beaten, and a little discouraged for any more such voyages, but very well in health. Believes ere this Sir Joseph is advised from Lord Vaughan of the return to his message to the Spanish Governor. From the Havana the King's frigate Foresight, Capt. Davies, called on his return to borrow powder for Jamaica, all their stores being lost going thither, and he furnished 40 barrels though the King has no stores here. It seems his Lordship employed one Brayne, of Jamaica, formerly a surgeon here, to carry his letters, who took on him the name of Ambassador, whereat the Spanish

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Governor fell a laughing, but admitted him and some gentlemen of the King's ship, but the frigate was not permitted to come within the harbour. His answer was that what he had done was by command from his superiors, and that they must have recourse for remedy to Madrid. He received a letter from Lord Vaughan that the Commissioners and ships that went for Surinam safely arrived there with 1,400 persons, who are there disposed of according to the King's order. 1 *p.* [*Col. Papers, Vol.* 35, *No.* 41.]

Nov. 8. **708.** Francis Moryson and Thomas Ludwell to the Lords of the Committee for Plantations. It is desired by us, the Agents for Virginia, that the word tax in their Lordships' report may be altered to imposition, since the first lies properly upon the estates of the persons taxed and the latter upon goods directed in the way of trade; and further, since tobacco is the only part of our estates taxable in Virginia as being with us equivalent to money in England, land, cattle, or other personal estate being of no value or current to pay debts or answer any public payments. Further to be pleased to express their just meaning that it shall not be taxed or imposed there till it be as a commodity shipped to some of his Majesty's ports, where they are most willing it should pay such impositions as Parliament shall think fit to lay upon it. 1 *p.* [*Col. Papers, Vol.* 35, *No.* 42.]

Nov. 10. Boston. **709.** Commission from Gov. Leverett appointing Richard Newman Ensign of a Foot Company at Marblehead, in Essex, New England, under Samuel Ward, Lieutenant. *Endorsed,* "Form of a Commission to be an Ensign of Foot." 1 *p.* [*Col. Papers, Vol.* 35, *No.* 43.]

Nov. 20. Whitehall. **710.** Warrant to the Attorney-General. To prepare a bill for the King's signature to pass the Great Seal, containing a grant to George Harris, of the office of Secretary of Jamaica and Commissary or Steward of the provisions for his Majesty's fleet and forces there during life, with all fees and perquisites enjoyed by Richard Povey, or any other who held the same. 1 *p.* [*Col. Entry Bk., Vol.* 110, *p.* 79.]

Nov. $\frac{20}{30}$. Barbadoes. **711.** Sir Jonathan Atkins to the Committee for Trade and Plantations. Theirs of the 11th August came not to hand till the 18th instant. Begs some little time to confer with the Council as to their instructions, transferred to him by Sir Robert Southwell. Not knowing his Majesty's pleasure that he should address to their Lordships, has communicated all affairs of these plantations with the Secretaries of State, and principally with Mr. Sec. Coventry, from whom they will receive them. 1 *p.* [*Col. Papers, Vol.* 35, *No.* 44; *also Col. Entry Bk., No. VI.*, 28, 29.]

Nov. 23–25. **712.** Minutes of the Assembly of Barbadoes. Adjourned till the morning, only eight members being present.

Nov. 24. Col. Chr. Codrington re-elected Speaker, the Assembly having sat three times by adjournment. An Act for continuing the Excise

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on Liquors passed. Ordered, on petition of George Hannay, Deputy Provost Marshal, that the Treasurer pay him out of the Excise on Liquors 5,416 lbs. of sugar, being 33*l.* 17*s.*, at 12*s.* 6*d.* per cent., for his charges upon divers rebellious negroes, some of whom were executed, An Act for an Imposition on Liquors imported, with some additions by his Excellency and Council, passed; also an Act for the rebuilding of St. James's Church.

Nov. 25. Ordered, that the Treasurer give credit to John Powys, merchant, on his account of Excise for the duty of 14 pipes of wines, or so much as shall appear to be decayed and unsaleable. An Act for allowance of a second free entry for the dead productions of this island lost or taken, and relating to the 4½ per cent., passed. Resolved, on consideration that many inconveniences may happen to the inhabitants through the want of affixing the seal to the laws, and the Governor signing the same, to move his Excellency and Council to order the originals of all General Acts to be sealed as expressed in his Excellency's patent, and that his Excellency sign the several copies of all Acts for publication in the parishes, and order the Secretary to direct them only to the representatives in each parish, that due care may be taken for safe keeping the same. An Act giving license to Richard Forde, Surveyor, to have the sole benefit of selling his plots of this island, passed. Ordered, that the Treasurer pay out of the Excise to John Higinbotham, Clerk of the Assembly, 10,000 lbs. of sugar for salary; to Joseph Withers, their Marshal, 1,500 lbs. of sugar; to Paul Gwynn, 3*l.* 10*s.* for accommodation of their Clerk and Marshal at several sittings; and to Paul Gwynn's negro woman Marrea, 20*s.*, for her diligent attending the Assembly. Ordered, that the freeing of Fortuna, a negro woman belonging to Mr. Gyles Hall, sent in recompense of her eminent service in discovering the intended rebellion of the negroes, be recommended to the succeeding Assembly. The Records of the Assembly ordered to be left in the hands of the Speaker, to be delivered to the Speaker of the next Assembly, the Assembly's year being near expired. 5½ *pp.* [*Col. Entry Bk., No. XIII.*, 196–202.]

Nov. 24. Whitehall. **713.** Order of the King in Council. On reading the ensuing proclamation of this date, prohibiting the importation of commodities of Europe into any of his Majesty's plantations in Africa, Asia, or America, which were not laden in England, and for putting all other laws relating to the trade of the plantations in effectual execution, ordered, that the same be forthwith printed and published. [*Col. Entry Bk., No. XCVI.*, 23–26.]

Nov. 24. Whitehall. **714.** Order of the King and Council. On petition of the inhabitants of Barbadoes, with a paper annexed containing several grievances, referring same to the Lords Committee for Trade and Plantations, to examine and report to his Majesty in Council. *Annexed,*

714. I. Petition of the Council and Assembly of Barbadoes to the King. Beseech his Majesty to take notice of their

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just grievances inserted in the paper annexed, and to apply such remedy as to his princely wisdom shall seem meet.

714. II. Grievances of the inhabitants of Barbadoes. First. In accordance with the Act of the 4½ per cent., Francis Lord Willoughby ordered that butts of sugar should be entered at 1,250 lbs., and hhds. at 625 lbs., according to which the duty has been collected ever since; yet his Majesty's Farmers of that duty, on pretence that some casks were of late made much bigger than heretofore, have obtained his Majesty's letter for the weighing of all casks of sugar, with a much less allowance of tare than in England, to the grievous vexation and damage of his Majesty's subjects there. Doubt not to make it out that the Farmers' pretentions of defalcations are very frivolous, and have passed an Act ordaining a gage for casks, with penalty of confiscation, if sugars he put into larger ones, which expedient they beg his Majesty will approve. Secondly. Whereas the produce of the island depends on a continual supply of negro slaves, the Royal African Company supply them very scantly, and their price is become excessive, viz., 20*l.* and 22*l.* for able negroes instead of 16*l.*, the usual price before the erection of the Company. Formerly they were plentifully furnished with English and Scotch servants, but now they can get few English, having no lands to give at the end of their time, intercourse with Scotland is almost wholly cut off by the Act of Navigation, for men will not bring servants when they may bring no other commodities, and Irish servants they find of small value; so that their whole dependent is on negroes, and unless his Majesty favour them, a considerable part of this once flourishing island will soon lie deserted. Thirdly. The great inconvenience of the Act of Navigation and Trade, which by constraining them to bring all they produce to one market, so beats down the price of sugars and advances freight, that in a short time it must bring ruin on his Majesty's plantations, and is very prejudicial to his Majesty's Customs; for half the sugars brought into England are shipped off again, and half the Custom paid back; whereas the whole Custom being paid back in Barbadoes on sugars sent to foreign parts, his Majesty will have no defalcations nor any risk of the seas. They will trade with none but English ships, sailed by his Majesty's subjects, which will perfectly answer the end of that Act, and will be encouraged to build ships of their own; nor can it be any hindrance to his Majesty's subjects in England, since they must still fetch thence their provisions as formerly. *Signed by* 10 of the Council, and Chr. Codrington, Speaker of the Assembly. *Together*, 7 *pp.* [*Col. Papers, Vol.* 35, *Nos.* 45, 45 I., II.]

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715. Copies of preceding Order in Council and annexed petition and grievances, with original signatures of ten of the Council of Barbadoes and the Speaker of the Assembly. [*Col. Papers, Vol.* 35, *Nos.* 46, 47 ; *also Col. Entry Bks., VI.*, 29–36, *and XCVI.*, 19.]

Nov. 25.

716. Minutes of the Council of Barbadoes. Ordered, that all Acts be signed by the Governor before publication, and that the rest of the Memorial given in by the Assembly be under consideration. ½ *p.* [*Col. Entry Bk., No. XI.* 289.]

717. An abstract of the records of all grants of lands that have been made in the Province of South Carolina, from the first establishment of this Colony, specifying the names of the grantees, the time when each grant was made, the quantity of acres, and the quit-rents, if any, reserved thereon and expressing the situation and location of each grant to 31st October 1765. [*The first date is* 1674, *and the following grants are abstracted for that year and* 1675.]

Persons names to whom granted.	Number of Acres.	In what County, Parish, or Township, or on what River or Creek situated.	Date of the Grant.
Lady Marg. Yeamans -	1,070	On Yeaman's Creek -	9 February 1674.
Anthony, Earl of Shaftesbury - - -	12,000	On Ashley River -	18 March 1675.
Joseph Pendarvis -	137	- - -	1 January 1675.
Matthew English and John Morgan - -	140	On Wandoe River.	
John Smyth - -	1,800	On Ashley River -	25 November 1675.
John Hooper and Wm. Cason - - -	240	- - -	20 November 1675.

[*Col. Entry Bk., Vol. XXIII., p.* 1.]

Nov. 29.
Whitehall.

718. Warrant to the Attorney-General. To prepare a Bill for the King's signature to pass the Great Seal containing a grant to Thomas Ludwell, of the office of Secretary of Virginia with the same fees and perquisites as were enjoyed by [Richard] Kemp or any other who held the same. 1 *p.* [*Col. Entry Bk., Vol.* 110, *p.* 80.]

Nov. 29.
Council Chamber.

719. Report of the Committee of Council for Trade and Plantations to the King. Have several days met about the case of Capt. Cooke, and perused not only the papers he brought with him from Spain, but the opinion of Sir Leoline Jenkins thereon (*see ante, No.* 693], and do not find any other regular way for his reparation, but by his going to the Havana to demand the benefit of the Queen's decree in his favour. But that the prosecution may have due effect, propose that his Majesty move the Queen of Spain to command her own Proctor to prosecute, and the rather because the case is criminal. The report of Sir Leoline also presents an expedient for the accommodation of such complaints in the future. *Endorsed*, "Read at the Council, 1 Dec. 1675." 1 *p.* [*Col. Papers, Vol.* 35, *No.* 48.]

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Dec. 1. **720.** Minutes of the Privy Council. Petition of Capt. Cooke read, and the Lord Chamberlain commanded by his Majesty to prepare for him a gold chain and medal. Ordered, on reading the Report of the Lords Committee of Plantations, that, if Capt. Cooke will pursue the remedy there proposed, which is the only thing his Majesty can according to the rule of justice insist upon, then Mr. Sec. Coventry to write to Sir Wm. Godolphin to obtain the warrant to the King of Spain's Proctor to prosecute. Ordered, that the expedient offered in Sir Leoline Jenkins's Report of 1st Nov. for accommodation of future complaints be referred to same Committee to examine and report. 1 *p.* [*Col. Papers, Vol.* 35, *No.* 49.]

(Dec. 1.) **721.** Minutes of the Committee for Trade and Plantations respecting the case of Mason and Gorges, when the following report was read: "A narrative of the settlement of the Corporation of Massachusetts Bay and Capt. Wyborne's account of things in 1673," with the present posture of that country. The proceedings of the Council of New England, the history of the Massachusetts Corporation, its encroachments and resistance to the King's Commissioners, &c. described. In 1673, Captain Wyborne, Commander of H. M. S. Garland, who came to Boston to victual and refit, and stayed there about three months made this relation. The trade of New England is very great, to all parts of the West Indies and to most parts of Europe, so that it is become a magazine both of American and European commodities. Of this irregular and unlawful manner of trade Capt. Wyborne complained, and required the seizure of an Ostend ship riding in the port of Boston, but the magistrates gave for answer that they were the King's Vice-Admirals in those seas and would do what seemed good to them; by which means the King loses an immense sum of money yearly and the navigation of England is unspeakably prejudiced, and, as soon as any English money is brought there, it is melted down into their coin, making of each shilling fifteen-pence to keep it from being carried out again. During the late war with the Dutch, New York being taken by Evertson, Captain Wyborne proposed to the Boston magistrates the reducing of that colony, offering his service with the King's frigate, only requiring some few soldiers and seamen and provisions and stores; but he received for answer that they would contribute their endeavours thereunto, provided it might be annexed to their Government, and, if this were refused, they had rather the possession of New York remain with the Dutch than to come under such a person as Col. Lovelace, who might prove a worse neighbour. By their discourse they look upon themselves as a free State, not at all to be interested in the King's differences with other nations, but that they might remain neuters. Capt. Wyborne, being informed that during the wars with Holland about 4,000 seamen had retired out of England and other colonies to New England out of design to quit the King's service, moved the Boston magistrates to send home some of these, as a testimony of their duty to the King, but he could not prevail, and for insisting on the matter some of the magistrates had exasperated several of the common sort

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of people and seamen against him (as he believed), so that at his leaving Boston he had much difficulty to escape with his life, having been wounded in many places, but was rescued by some of his seamen who being well armed came to his relief; on his complaint to the government no other punishment was inflicted on that rabble than one night's imprisonment of some 20 persons. The disposition of the people he found generally for a submission to the King's government, it being much admired at by them that the settlement of that great country should be so long deferred. Some of the magistrates and principal merchants and inhabitants told him that if the King would send over some person of honour to be their Viceroy or Lord Lieutenant, they would readily submit to his government, and as a demonstration of their duty and affection would build him a noble palace and allow him an honourable support, so that the King should be at no charge, but by no means they would not (*sic*) have any mean person to be sent over as Governor-in-Chief. The persuasions of the people as to Church government are very different, many, and those of the better sort being for the Church of England, and have the Common Prayer books in their houses, and will not have their children baptized after any other form. The present laws of the Massachusetts are so different from the laws of England, and the government so arbitrary, that it occasions murmuring among all sorts of people, the government remaining in the hands of a few, who, though yearly chosen, yet it is so done that the people have not any voice, and withal the Massachusetts having usurped the government of other provinces by force and fraud, makes the whole country to centre in an unanimous desire of a general settlement under the King's government. The country populous, towns well built, no place in the King's dominions in America can contribute so much to the overcoming of an enemy in those parts, owing to the great number of ships and seamen; it is well stored with all sorts of naval materials, the timber growing very commodious for transportation, and might be brought from thence to England as cheap as from Norway. The chief if not only cause of the Indians making war upon the English is the tyrannical government of the Massachusetts, who make a law that every Indian coming into their towns (which they daily did in great numbers to trade) who was drunk should pay 10*s*., or be tied to a gun and whipped. The Indians are great lovers of all sorts of strong liquors, and would not leave that pleasure notwithstanding the lash. The Boston magistrates, building a fort on a small island that commands the harbour, and wages being very great, ordered that for drunkenness the Indians should not be whipped but should be transported to this island to work for 10 days, which the poor natives greatly complained of, still offering the whip rather than to be transported, but nothing would prevail with their taskmasters, and which was yet more barbarous, when the Indians had wrought at this hard labour nine days, some persons were sent over to the island with runlets of rum and brandy to entice them to drink to excess, and then they must stay 10 days longer, which wicked practice was so long continued that at the time of the said Captain

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being at Boston there were some hundreds of Indians there at work, many whereof had been by the practices aforesaid kept about 3 months; which barbarous usage made not only those poor sufferers, but the other Indians, to vow revenge. *Endorsed*, "Rec^{d} from Mr. Mason 1 Dec. 1675. Read at the Committee 2 Dec. 1675." 5 *pp.* [*Col. Papers, Vol.* 35, *No.* 50.]

Dec. 2. **722.** Minute of the Committee of Plantations. Having met to determine something in the case of Mason and Gorges touching their pretensions in New England, the above narrative of Mr. Mason was read. [*Col. Entry Bk, No.* 60, *pp.* 48–61.]

Dec. 2. **723.** Minutes of the Committee of Plantations. Understanding Mason's desire to be the sending over Commissioners or a new Governor to New England, consider that such sending, besides the charge, uncertainty of success and danger of affront, would look like awarding execution on those people before they were heard; much more advisable that his Majesty should send them the state of complaints and require their sending Commissioners to agree the difference. This was a fit season, their neighbours being busy, who at another time may be ready and industrious enough to incite them; and then the Secretaries informed how that Mr. Cranfield was to take a turn in those parts and to bring information how things stand. It was thought fit to encourage Mason to attend this issue, and being called in he was told something of the particulars aforesaid and advised to prepare a petition comprehensive of all he had urged, and that they would present it to his Majesty in Council with their advice to send it over, and to require the Bostoners to send agents in answer (*see No.* 755). [*Col. Entry Bk., No.* 60, *pp.* 61–63.

Dec. 2. **724.** Copy of the preceding. 2 *pp.* [*Col. Entry Bk., No.* 104, *pp.* 44, 45.]

[Dec. 2.] **725.** Petition of Lieut. Daniel Greatbach to the Council of Plantations, on behalf of himself and the rest of his Majesty's officers and soldiers in St. Christopher's. That the pay of the two Companies is 2,778*l.* 10*s.* 8*d.* per annum, which has not been paid since June 1671, whereby they are reduced to great necessity, and their Lordships having reported that the due paying of Col. Stapleton and the said officers and soldiers highly concerned his Majesty's service, his Majesty in Council ordered payment of the same, yet Petitioner, who was sent express from thence, has not received one penny. Prays therefore that he may be dispatched to his colours, and not further fall under the displeasure of his Colonel and fellow soldiers as a negligent servant in their concerns. *In margin*, "Read at Committee Dec. 2, '75." 1 *p.* [*Col. Papers, Vol.* 35, *No.* 51; *also Col. Entry Bk. XLVI.*, 27–28.]

Dec. 2. Whitehall. **726.** Minutes of the Committee of Trade and Plantations. ST. CHRISTOPHER'S. On the Petition of Lieut. Daniel Greatbach, agent from Col. Stapleton, praying the Lords to promote his dispatch, and move the Lord Treasurer for some supply of

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money as was ordered in Council, their Lordships pressed the Lord Treasurer, mentioning the danger of those parts in case of any rupture with the French, upon which his Lordship promised some supply, and directed Sir R. Southwell to give the Petition to Mr. Bertie and mind him thereof, as also to call the Farmers of the Revenue of the Leeward Isles to account with all speed. Mem.—This letter to Mr. Bertie was put into Mr. Fleetwood's hands the 3rd instant. 2 *pp.* [*Col. Entry Bk., No. CIV.*, 44, 45.]

Dec. 2. **727.** Copy of above Minutes referring to St. Christopher's, also petition of Lieut. Greatbach, and Sir R. Southwell's letter to Mr. Bertie, as follows:—The enclosed Petition was this day read before a very large Committee for Foreign Plantations, and by command of the Lord Treasurer (who was very sensible of the necessity of a speedy supply) is sent to him, that he may put his Lordship in mind thereof with all speed; an Order of Council passed some months ago, which sets forth the full state of this concern. The last letter from Mr. Parry tells of 3 stout French men-of-war that touched at Lisbon on their way to Martinico; and the French so daily encourage their interest in those Islands, that we shall be much at their mercy in case of a rupture. Had also in command to put him in mind of calling the Farmers of the Duty of those islands to a speedy account. Ferdinando Gorges has been often with him as agent and qualified to receive what shall be paid for the use of Col. Stapleton and the forces there. [*Col. Entry Bk., No. XLVI.*, 27–29.]

Dec. **728.** Sir Robt. Southwell to John Cooke and Wm. Bridgeman. Is to inquire by command of the Committee for Foreign Plantations at the Secretary's offices for any Acts transmitted from the plantations for his Majesty's ratification, that they may prepare them for his Majesty's view. And also how the foreign Governors have complied with their obligation of taking the Oaths of Allegiance and Supremacy, and for due execution of the Act of Navigation, by which they are obliged twice a year to return true copies of the bonds taken by them to the Officers of the Custom House, London; and by a later Act for Regulating the Plantation trade once a year at least to return List of all ships lading the commodities there innumerated, and of the bonds taken by them. The Lords finding at the Custom House a very imperfect return of these bonds, desire to know which of the Governors have taken there these oaths, that they may be written to for the better execution of the said Acts. *Draft, with corrections.* 1½ *pp.* [*Col. Papers, Vol.* 35, *No.* 52.]

Dec. 3. **729.** Petition of Capt. Edmond Cooke, on behalf of himself and the merchants and owners of the ship Virgin to the King and Council. That Petitioners having made many complaints of the Spanish murders and depredations, and particularly of their taking the ships Virgin and Thomas and Mary, His Majesty declared that unless they received plenary satisfaction from the Court of Spain, his Majesty could not deny them letters of reprisal. That Petitioners, at the expense of above 1,000*l.*, besides damages, have strictly

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pursued all His Majesty's orders, yet cannot, after two years' solicitation in this Court and that of Spain, reap any benefit, the despatches given to Petitioners being so insignificant and evasory that they show not the least prospect towards Petitioners' satisfaction; for the charges of going to the Havana, besides the danger of being murdered will undoubtedly exceed whatever can be received there by virtue of the Queen's decree, if there were an absolute assurance to receive it without trouble, being not a twentieth part of Petitioners' losses and damages. That if Petitioners should accept the Queen's decree, they would be "concluded" from demanding reparation for the logwood, and it would be brought hereafter for a precedent against his Majesty's subjects. That Petitioners assure themselves of his Majesty's clemency and justice according to his Majesty's orders of 3 July ('74) and 14th July and 4th August last, and that his Majesty will not compel them to go in vain to seek satisfaction with hazard of their lives amongst such barbarous enemies. Pray letters of reprisal in pursuance of said orders, without sending Petitioners to the Havana, where they will be denied, wearied out, or murdered. *Endorsed*, "Read in Council Dec. 3rd 1675." 1 *p.* [*Col. Papers, Vol.* 35, *No.* 53.]

Dec. 3. Whitehall. **730.** Order of the King in Council. On reading Petition of Capt. Cooke and others (*see preceding No.*), ordered, that Mr. Sec. Coventry let Don Pedro de Ronquillo, Envoy Extraordinary from the Court of Spain, know that his Majesty much resents a case of so much hardship used to his subjects, and cannot defer any longer to gratify them after so tedious and ineffectual solicitations with letters of reprisal, to recover their losses and damages. 1 *p.* [*Col. Papers, Vol.* 35, *No.* 54.]

Dec. 4. Whitehall. **731.** Minutes of the Committee of Trade and Plantations. Mr. Cranfield's letter of 22nd Sept. last from Jamaica touching the arrival of his Majesty's subjects from Surinam reported, but not read; also his unfortunate killing of Thomas Yonge, chief mate of the America, and how he had been tried and cleared. Debate concerning the letter of Sir John Berry from Newfoundland of 12th September touching the misinformation of the Western men on which several of the Lords' resolutions were founded, which was read, and the complaint of Sir John Vowell and Messrs. Parrot and Ryder, &c., that the inhabitants of Newfoundland who were intended to be removed had taken such encouragement from what Sir John Berry had intimated to them, that they send to their friends to come over, and talk as if a colony and plantation were to be encouraged, on which the By-boat keepers throng over, getting 100 or 150 men into a ship of 100 tons, where 50 are sufficient, and so the Adventurers get no men; and they pressed that the order passed might be enforced, and all masters obliged to give bond for the return of their seamen, so that at least no encouragement be given for increasing the inhabitants; and that an order might be strict for confining a ship of 100 tons to 50 men, which would destroy the By-boat men, who unless they could fit out more boats at their coming to Newfoundland could not live by it;

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whereas the Adventurer rides his own horse or takes up money at much less per cent. Objection of Mr. Sec. Williamson that this design was to exclude the poor from being sharers in anything, and these gentlemen of the West Country were shown to be very faulty, who having for five years had his Majesty's allowance for additional rules had neglected to pass them; they acknowledged that the fault was their own, but that now they would close all. 2 *pp.* [*Col.. Entry Book, No. CIV.*, 46, 47.]

Dec. 6. Whitehall. **732.** Minutes of the Committee of Trade and Plantations. Mr. Cranfield's letter of 22nd Sept. last from Jamaica, read and approved, and the exemplification of his trial about the casual death of one Young, and other papers, given in by Mr. Secretary. [*Col. Entry Book, No. CIV.*, 48.]

Dec. 6. Whitehall. **733.** Sec. Sir Joseph Williamson to Lord Vaughan, Governor of Jamaica. Has received his of 20th Sept., and is very glad of the accession of Planters from the transplanted Colony of Surinam. It is well done to give them all encouragement, and is afraid from accounts of the late ravages at Barbadoes by hurricanes, he must provide ere long for good numbers of families even from those islands. Is sorry for the misunderstandings between his Excellency and Sir H. Morgan: it will be prudent to make them up the best that can be, wishes he had interest enough to recommend the same council to him. Hopes his Lordship will honour him with his commands on any occasion. 1 *p.* [*Col. Entry Bk., No. XCIII.*, 143.]

Dec. 6. Whitehall. **734.** Sec. Sir Joseph Williamson to Mr. Beckford (Secretary of Jamaica). This is only to thank him for former letters, and to mind him of his prayer of giving him constantly an account of all that passes. "With Collections of Gazettes and News from July 18 to Dec. 6." ½ *p.* [*Col. Entry Bk., No. XCIII.*, 143.]

Dec. 6. Jamaica. **735.** Peter Beckford (Secretary of Jamaica) to Sec. Sir Joseph Williamson, at Whitehall. His of the 16th July came to hand the 1st December. Little news. My Lord (Vaughan's) great trouble is to carry himself even with the Spaniards, for they are daily taking all ships they can master, and are very high, for when his Lordship sent to demand satisfaction they answered they would look upon us as enemies, and take all they came up with; and truly, were not the French from Tortudas daily galling them with their privateers, should conclude ourselves in some danger, though if they had war would not question by carrying it to their doors, we should sufficiently defend our own. The French would prove very ill neighbours in war, and much more dangerous than the Spaniards. As to the present state of the Island, no place the King has is more like to thrive, for they increase in planting to a miracle; guesses the number of planters to be about 3,000, but will endeavour to send a true account of them and of the militia. Our revenue at present is very inconsiderable, and not able to support the contingent charges of the Government, our fortifications

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being all out of repair. The Spaniards have shown such tricks in seizing our vessels that we dare not adventure amongst them for trade; the chief advantage the Spaniards make is by trading from port to port, but their shipping and freight are at so high a rate that they do not make more than half the benefit the Dutch or English could. Our commodities are cocoa, sugar, indigo, cotton, pimento, ginger, fustick, granadilla, and China roots, as good as any from the East Indies; have the bark of a tree as strong and the same scent and taste as cinnamon, some of which he will send to his uncle by the next; and for fruits, provisions, cattle, horses, and all necessaries for man and beast, no place is beyond them. The Spaniard's strength in the Indies, if united in one island only, would prove dangerous to all his neighbours, but as he is he has more to look after than he can keep from but a weak enemy, much less do any injury to his potent neighbours. Our privateers have mostly employed themselves in the Bay of Campeachy to fetch logwood. The Governor has dissolved the Assembly, and sent home the Acts under the seal of the Island to be confirmed by his Majesty. *Endorsed,* "Per the Henry and Sarah, of London, Q. D. G." 1 *p.* [*Col. Papers, Vol.* 35, *No.* 55.]

Dec. 8. Jamaica. **736.** Governor Lord Vaughan to Sec. Sir Joseph Williamson. Received two letters from him by Capt. Swan, about three weeks since, with the Marine Treaty with the States-General, and recommendation of Capt. Beckford, whose interest shall be very tender to him. Encloses an exemplification of Cranfield's charge against one Davis, that came from Surinam. Formerly gave some hints of it, but, on perusal of his Majesty's letter, thought it necessary to give this account, especially Cranfield appearing so much dissatisfied, and almost publicly complaining of his Lordship's justice. In divers other things he has appeared very indiscreet, caballing with discontented people, proclaiming his commissions, speaking imprudently of Ministers at Court, and scarcely ever coming near the Governor; but notwithstanding his rudeness, having seen his Majesty's passport, gave the Master special order to give him his vessel's best accommodation, but since he has not vouchsafed to thank him, or as yet to take leave. Sends the Master's receipt, lest he should be so impudent as to tell any lies in England. He goes fully instructed, and promises much on his interest at Whitehall, which some weak people here are as forward to believe as he is to boast of. Hopes for an answer to what he wrote by Sir Thos. Lynch, and depends much on his friendship and prudence in that particular. *Enclosed,* "R., 8 Mar. $7\frac{5}{6}$." *Encloses,*

736. I. Account of the trial of James Davis, lately arrived from Surinam, at St. Jago de la Vega, before the Governor Lord Vaughan, upon three Articles exhibited against him by Edward Cranfield, one of his Majesty's Commissioners for the removal of his subjects from Surinam. (1.) That Davis brought off one Samuel Earl, contrary to the orders of his Majesty and the States-General. (2.) That he brought away one William Fowler, a seaman of Capt. Dickinson's, and instigated him to withdraw from his

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Majesty's service. (3.) That he brought away three free Indians, contrary to his Majesty's orders. 1675, Sept. 23. *Together*, 4½ *pp.* [*Col. Papers, Vol.* 35, *Nos.* 56, 56 I.]

Dec. 9. Whitehall. **737.** Minutes of the Council of Trade and Plantations. The Minutes of Oct. 2 read, in order to prepare a memorial for Lord Berkeley, Ambassador at Paris, to press reparation of the injuries suffered in St. Christopher's. Several points discussed, as whether the English that would stay on the Island were not obliged by the capitulation of M. St. Laurence to swear allegiance to the French King; whether by the Articles of Breda the French and English have any pretence to ameliorations and reparations; and whether the French may not claim the expenses of keeping the English prisoners. The capitulation of M. St. Laurence, and Mr. Slingsby's memorial, read. Freeman's case alleged, as to force on particular persons to sell at under rates. The points set down in Mr. Slingsby's paper to be insisted on, after debate well approved, and he and Sir R. Southwell to meet to see the vouchers of the facts there expressed. Mem.—Lord Willoughby's Narrative of $\frac{21}{31}$ July 1667 lent by Mr. Slingsby to be entered in one of the old books of St. Christopher's. 1 *p.* [*Col. Entry Bk., No. CIV.*, 49.]

Dec. 13. Whitehall. **738.** Mem. by Sir Robert Southwell, Secretary to the Committee of Council for Plantations. To acquaint Mr. Sec. Williamson that he has with Mr. Slingsby read over the state of the complaints touching St. Christopher's, and finds the proofs which vouch them scattered up and down under the following heads:—1. Partly allowed by many papers from the King of France to his Governors. 2. In Sir Chas. Wheler's agreement with M. de Baas. 3. From the Articles of Breda. 4. From the Proceedings of the Commissioners on St. Christopher's. 5. From the Narrative of Lord Willoughby. 6. From several letters from Sir C. Wheler and Col. Stapleton. 7. From several letters and complaints of the planters. 8. From the depositions of some persons present who are concerned in these complaints. So that it would be very difficult to send the vouchers and proofs to the Ambassador at Paris, and rather advisable to send him the state of the difference as now drawn up, with his Majesty's order to present it to that Court, with declaration that the proof of all particulars will be made out here, and that therefore the King of France empower his Minister here to treat therein as to the reparations to be made, and to determine those points referred by Sir C. Wheler and M. de Baas to the two Kings. 1 *p.* [*Col. Papers, Vol.* 35, *No.* 57.]

Dec. 14. Whitehall. **739.** Minutes of the Committee of Trade and Plantations, Discourse touching the business of St. Christopher's, and the Report of Sir R. Southwell from Lord Arlington (*see ante, No.* 608), read. The heads of the Address there mentioned and of Mr. Slingsby's memorial compared. Inquiries made as to what power Sir Chas. Wheler had by his Instructions as to the time allowed the planters to claim and tender their money, and how the same was executed;

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and for a Journal of the Proceedings of the National Court. Agreed that the best method to put an issue to this entangled affair was to get the French King to grant powers to his Minister in this Court to treat and determine on all differences; and that the general state of the business be drawn up; after which they would proceed to what concerns the standing defence of the Island. 1 *p.* [*Col. Entry Bk., No. CIV.*, 53.]

Dec. 14. **740.** Observations on the present state of Jamaica by M. Cranfield, being answers to 21 queries, drawn out of his Majesty's Instructions of 7th March 1675. (1.) There cannot be any true value as yet set on the plantations, which are in their infancy; there are 20 sugar works that make 150,000 lbs. to 200,000 lbs. of sugar per annum, about 50 that make 100,000 lbs., and 40 more in great forwardness. The sugar sells on the place for 18*s.* to 20*s.* per cent., and a sugar work with 60 negroes will make more profit than one with 100 in any of the Caribbees, the soil being new, and well shaded with goodly woods. There are large pastures with pleasant streams, and incredible numbers of horses, kine, sheep, hogs, goats, &c., and generally no other feeding is given to beef than running with the herds in the Savannahs, and if an ox stand 6 or 7 years he will commonly have 150 lbs. of tallow, and his fore-quarter weigh 1,000 lbs. to 1,200 lbs. (2.) Description of the Council, Assembly, and Courts of Judicature; also (3.) Courts of Admiralty. (4.) One regiment of horse 400 or 500 strong, and 7 of foot, being about 5,000, being planters, merchants, and servants and no others. (5.) Description of castles and forts with copy of a report made upon them to Lord Vaughan whilst the writer was on the island. (6.) The strength of their neighbours, the Spaniards, French, and Dutch. (7.) Commodities and manufactures; cocoa, sugar, cotton, indigo, ginger, dyeing wood, &c., the great returns from New England make cotton very profitable to the middle class of planters, that cannot compass a sugar work; no manufactures, except some few shoes and hamacaes. (8.) Rivers, harbours, and roads. (9.) The numbers of planters, servants, and slaves, about 9,000 of the latter, 12 years old and upward. (10.) Fifteen parishes, 6 churches, and 4 ministers. By Act St. Jago is obliged to give 130*l.* per annum to support the minister; Port Royal, 200*l.*; and every other parish 100*l.* (11.) No people ever came from Scotland; some 500 servants have come from Ireland by Bristol ships these 3 or 4 years; and from England there may come 1,200 or 1,400 men and women free, and to serve a year, three-quarters of whom may settle in the country. (12.) Number of ships. 11 privateers carrying 150 guns, and in all of 1,000 tons burden, and 20 sloops of 10 or 15 tons, the Spaniards have taken 30 sail. (13.) No trade with any place out of America, but Madeira. (14.) No foreign ships trade there; of English 3 years ago there were 173 from England, New England, New York, Virginia, and the Caribbees, but not so many since by reason of the war; and from New England this year little provisions have come, the Indians having disturbed their husbandry, but between September and 17 December, 17 New England vessels touched at

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Port Royal, bound to the Bay of Campeachy for logwood. (15.) Customs and duties on goods exported or imported. (16.) Entries made on them. (17.) Other taxes or payments. (18.) Collection and disposition of the public revenues. (19.) His Majesty's revenue, and how collected and accounted for. (20.) Offices held by patent under his Majesty's Broad Seal. (21.) Fisheries. The harbours and bays infinitely stored with extraordinarily good fish, and plenty of turtle daily caught in nets in all parts. 12 *pp.* [*Col. Entry Bk., No. XXVIII.*, 108–121.]

Dec. 15. St. Jago de la Vega.

741. Minutes of the Council of Jamaica. Instruction read for the admission of Sir Henry Morgan into the Council, and the usual oaths administered; also instruction from the King, dated at Windsor the 23rd August, ordered to be recorded. His Majesty having received account from the Queen Regent of Spain, that several of his subjects belonging to Jamaica, notwithstanding the strict alliance betwixt his Majesty and the Catholic King, presume to take Commissions from foreign princes or States, enemies to the Catholic King, against his Majesty's authority, his Majesty being resolved to preserve his friendship with said King, and likewise to let his subjects know how much his Majesty is offended at their proceedings, requires Lord Vaughan immediately to issue a Proclamation to recall all such as have already taken such Commissions, and to prohibit any others from taking such for the future, or anyways attempting or assisting in any hostilities against said King or his subjects; and that he proceed with the utmost severity against any that shall dare to offend against this order, taking care that his Majesty's pleasure be made known to all officers, civil and military, under his Government. Whereupon a proclamation was ordered to be published, dated 15th December, to the above effect, and almost in the same words as the King's Instruction. The King's Warrant, dated at Windsor, 9th August 1675 (*see ante, No.* 646). Proclamation of the Governor and Council: Whereas there have lately been several insurrections and rebellions of negroes to the great disturbance of the peace and planting this island, the sole cause whereof has arisen from the remissness of all persons in not putting the laws for the right ordering and government of the negroes in due execution, therefore his Excellency has thought fit to publish and proclaim that all clauses of said Act be duly put in execution, and that every custos rotulorum and other justice give in charge at their sessions to the Grand Jury, to inquire and present all such as shall be remiss therein, that they may be proceeded against with the utmost severity; and that said Justices likewise consider of such other regulations as may be necessary to prevent the correspondence, and conduce to the better government of said slaves. And that all planters take care to provide themselves with one white servant for every ten negroes on their plantations; and all Justices of the Peace are required to take care that presentments be made of such as do not so supply themselves within the time mentioned in said Act. [*Col. Entry Bk., No. XXXV.*, 441–449.]

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Dec. 15. Jamaica. **742.** Two copies of the Proclamation referred to in preceding abstract prohibiting hostilities against the Spaniards. [*Col. Papers, Vol.* 35, *Nos.* 58, 59.]

Dec. 16. Whitehall. **743.** Minutes of the Committee of Trade and Plantations. Copy presented of the memorials given in by the Lord Ambassador Lockhart in Paris the $\frac{6}{16}$th May 1674 touching the business of St. Christopher's, as also his letter to Mr. Slingsby, but no reason seen to alter the last resolution, only that notice should be taken at Paris of the said memorial to gain the aggravation of so much delay. Sir Chas. Wheler to be asked whether he were not in full possession of the sovereignty of the island, because in the memorial something of it seems wanting. No demand for damages in Mr. Slingsby's memorial from the time possession was refused to Lord Willoughby, which at least would serve to balance other things. Desire of the Lords to see the heads of the points agreed to be remitted to the two Kings, and those not referred but agreed, and if agreed why not executed? The Lords seem of opinion that none of the points to be demanded of the French seem to be of courtesy, but that about lengthening the time for repossessing the English. Ordered, that the books and papers in this whole affair be turned over, and a deduction made of the difficulties that have occurred; that the heads of a memorial for Lord Berkeley (now at Paris) be prepared; and that the scope thereof be to induce the King of France to impower his Minister to treat and determine all differences here. The Order of 18th June last read, on the petition of Lieut. Greatbach to move the Lord Treasurer to hasten the money appointed him; the Lords much concerned that the money is not yet furnished, and a fund appointed for the future; the Lieutenant to attend next Council day, and the Lord Treasurer to be moved therein. Many laws remitted from Jamaica for approbation, attending their Lordship's leisure to peruse them. [*Col. Entry Bk., No. CIV.*, 54, 55.]

Dec. 17. H.M.S. Bristol, Leghorn Road. **744.** Sir John Berry to Sec. Sir Joseph Williamson. Hopes the accounts he sent from Newfoundland are long since come to hand. When he left there, all the stages, storehouses, cook-rooms, flakes, &c., were entirely preserved for next year's season, which formerly were destroyed after the fishing voyage was ended. Cannot but pity the poor inhabitants, considering so many false informations have been laid to their charge, as formerly reported. Sailed from Bay Bulls the 26th Sept. with about 40 sail which he has seen to their ports as high as Livorn. Has received his Majesty's command to follow Sir Jno. Norbrough's orders, but is in ill condition for that service. His complement of men for Newfoundland was but 150, nor does he know how many are allowed since this new regulation, but will entertain any men fit for service, and is using all possible dispatch to careen and revictual. Begs him to recommend to his Majesty his long and faithful services in the Navy, having 10 years since commanded a squadron of 12 sail in the West Indies, and been in all actions against Algiers and the Dutch, yet never received any gratuity, bounty, or half-pay, for want of a friend to

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recommend these things. Is the eldest Captain in the Straits, and hopes if any chance should befall the flag he may not be thought unworthy of it, as his Majesty has hitherto preferred persons by eldership and desert. 2 *pp.* [*Col. Papers, Vol.* 35, *No.* 60.]

Dec. 18. Boston. **745.** Governor Leverett to Sir Joseph Williamson. Received the King's command, dated 4 Aug. 1675, referring to Mr. Harris of Patuxet, in the following October, which shall be attended to as soon as the providence of God shall give opportunity by restoring peace, for such is the state of the plantations in New England by reason of the Indian natives rising up in hostility that Mr. Harris saith he must wait a more calm season for his business. Their taking to arms not a matter of choice but necessitated for the defence of the King's rights and upholding the authority in the government and defending the rights of the subjects against the barbarous rage and inhumanity of the pagans that have not assigned any cause of their acting. He will see by the enclosed what the gradual proceedings of authority have been and how they are compelled to secure themselves from those whom they would, if possible, have held in friendship, but who have been instead their most dangerous enemies, viz., the Narragansets, in supplying Philip with men and entertaining his men, women, and children. The loss of the English in all parts has been about 300 men, 200 in battle under extreme disadvantages by numbers and places, the rest by their skulking upon travellers or labouring men. Their ranging has been as in a crescent from Mounthope where they first rose, westward and northward to the Connecticut, northward and eastward to the Kennebec, through the country about 300 miles. The county of York, called the province of Maine, much wasted although supplies of men have been sent to them; in the whole seven villages have been wasted, of them many of the people and goods saved but houses, corn, and cattle destroyed; several other plantations have suffered by fire and gun, that many families have been distressed. Josiah Winslow, Governor of Plymouth, is advanced from Boston with nigh 600 men to the rendezvous in the Narraganset country, where he will have to make up complete 1,000 under his control, of whom they daily expect to hear. Received in November the King's commands of Aug. last referring to Mr. Bellingham's business, which was under consideration before and had been heard but deferred until May court by reason of the present troubles. Whilst writing this Sir Joseph Williamson's letter of the 13th Sept. came to his hand with the articles of peace concluded at London, Dec. 1674, with the States-General of Holland; will regulate his motion therein to the King's service. *Endorsed by Williamson,* "Rec. 1 Feb. $167\frac{5}{6}$." 2 *pp.*

Encloses,

745. I. Proclamation of the Massachusetts setting forth the reasons of the war against the Indians. Their confederates of Plymouth informed them, in June last, that Philip the Sachem of Mounthope was in arms and had solicited the Indians to join with him against the English, desired their assistance, which by the Articles of Confederation they

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could not deny. Desirous to prevent war, they sent messengers to treat with Philip, but these arriving at Swansea found divers English murdered on the road, and were informed of divers hostilities by the Indians, which rendered their negotiation hopeless. Marched with forces hereupon in aid of their friends at Plymouth, and having driven Philip from his country, the soldiers were ordered to march to Narraganset to keep the Indians there quiet; after some delay the Indians promised not to assist the enemies of the colonies, and to deliver up those of Philip's party that had fled to them on his rout near Seaconck, but have failed in every particular. Before the soldiers marched to Mount-hope, being careful to understand the state of the Nipnet Indians, they despatched two messengers to certify them of Philip's motions and of their desire to keep amity according to the covenants made long since; and for their further satisfaction sent by Ephraim Curtice a declaration under the public seal that they had no intention to disturb any Indians that would remain peaceable, which message and messenger were evilly entertained and the messenger much endangered by the younger men, and not with any satisfaction by the Sachems as the event showed, though at first more moderately received. Soon after this and before Philip's flying from Pocasset and march toward the Nipnet country, some of the Nipnet Indians assaulted and slew divers of their people at Mendam, whereupon Captain Hutchinson, with a small guard, was sent up to the Nipnets to keep them quiet, if possible, who arriving at Quabaog, whereabouts was a rendezvous of Indians, sent to them, who promised to meet him at a certain place, whither he repaired, but found not the Indians, and being encouraged by the English of Quabaog that the Indians were peaceably advanced toward the place of the Indians' rendezvous, but was on the way by ambuscado treacherously waylaid, by which himself and several others were wounded and slain, the English of Quabaog assaulted immediately, and the town, except one house, totally destroyed. Upon which Philip, with his broken party, came up to the Indians, and upon the first, or immediately on the arrival of the forces sent to the relief of Quabaog, retreated towards Connecticut River, from whence, recruiting himself with ammunition from Albany and men from the treacherous Indians about Hadly and Springfield, he hath prosecuted his design to destroy the English, and spite of all the opposition of their forces hath done much mischief; and, since the repulse he received at Hatsfield, withdrew into the Nipnet country and since toward the Narragansets, who, it is concluded, have assisted him, and have dealt falsely with them, whereby the Massachusetts Government find themselves necessarily engaged, with the consent, advice, and assistance of the

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rest of the colonies, in war with them as well as with Philip (unless they prevent the same by a timely compliance and performance and security for the future), for the managing and carrying on whereof they expect the assistance of all the King's subjects of the colony, in just defence of the glory of God, the honour, defence, and safety of their King, country, and themselves from the subtlety, rage, and treacherous attempts of their barbarous enemies. Dated in Boston, the 7th December 1675. By the Council, Edward Rawson. Secret. *Printed.* 1 *p.* [*Col. Papers, Vol.* 35, *Nos.* 61, 61 I.]

Dec. 18. **746.** Copies of the above letter and enclosure. *Endorsed,* "Read at Com^tee of Plantation, 3 Feb. 1675–76." [*Col. Papers, Vol.* 35, *Nos.* 62, 62 I. *See also Col. Entry Bk., No. LX., pp.* 90–93.]

Dec. 20. **747.** Minutes of the Committee for Plantations. Report prepared touching the pretensions of Mason and Gorges, who give in large petitions, which are to be transmitted to the Bostoners, and they required to send over their agents to answer thereunto. Ordered, that inquiry be made in the Secretary's offices touching the administration of oaths to the Governors that go abroad for the better executing the Act of Navigation. Also, that a full draft of circular letter be prepared to all Governors abroad, and that strict care be given about taking of bonds and knowing what has been done herein according to law. The late letters to Barbadoes and Jamaica to be duplicated. The laws lately transmitted from Jamaica to be presented to the Lords, and the Secretary's office to be searched for any laws that may be transmitted from other islands. [*Col. Entry Bk., No. CIV., p.* 55.]

Dec. 20. Insula Nevis. **748.** Col. Stapleton, Governor of the Leeward Islands, to the Committee of Council for Plantations. Begs their Lordships to peruse his repeated grievances in his letters to the former Council for Plantations, and to supplicate his Majesty for redress. Beseeches them to weigh in particular what he wrote of the Caribbee Indians, who have murdered on Antigua the King's subjects of both sexes, ravished women, carried away men, women, and children, kept them slaves, burned houses, and committed other enormities; for which causes he sues for their grave advice to his Majesty for the release of Col. Philip Warner, whom he understands to be a close prisoner for taking some revenge on these treacherous and bloody malefactors, for that it is suggested that he has killed his brother, and that in cold blood. Both assertions are equally untrue, for the Indian Warner was not Sir Thomas's son but his slave, and the blood could not be cold, Col. Warner having twice fought the Indians out of pallisadoed trenches and pursued them to the leeward part of Dominica, where they found them harboured by this Indian Warner, who before had given notice to the Windward Indians of the design against them; he fell amongst them, and not by Col. Warner's hand nor aboard; the son pretended to be killed is at St. Christopher's. A clause in Stapleton's Commission will

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justify his empowering Col. Warner; besides 3 several addresses made to him by the Deputy Governors, Councils, and Assemblies of the respective islands. But 8 days since the Marquis of Temericourt, Governor of Marigalante, delivered him 4 negroes carried from Antigua by those heathens, having redeemed them for 4,000 lbs. of sugar. Hopes to give a fuller account of the matter of fact by the next opportunity, but in the interim desires their Lordships to peruse the annexed depositions concerning Indian Warner's fraternity with Col. Warner, who, had he destroyed all the Caribbee Indians, had done the best piece of service for the settlement of these parts. The subject requires more time and more energetic lines than he is able to offer. "Presented to the Committee, 6th April '76, together with some depositions concerning Col. Warner." *Encloses,*

748. I. Deposition of Walter Carwardine. Came over with Sir Thos. Warner to the Indies about 46 years since, and waited on him about 4 years, and Sir Thomas had in his family of Indian slaves a male child commonly called Warner, or Indian Warner, who, at their arrival at St. Christopher's, was not above 6 months' old, and was never baptized or looked on as any other than a slave or negro's child, and was not reputed the child of Sir Thos. Warner. 1675, Dec. 18.

748. II. Deposition of Lieut. Robert Choppin. To the same effect; and that shortly after their arrival in St. Christopher's, Sir Thomas called all his Indian slaves before him, to the number of 24, and named a child (the first-born in his family of slaves) Warner; he was afterwards carried off by his mother and others who ran off, and some years after brought from Antigua by Capt. Fletcher, and lived as a slave, fishing and fowling with Sir Thos. Warner, after whose death he served his lady (now Lady March), and is reputed to be killed at Dominica. 1675, Dec. 18.

748. III. Deposition of Sarah Choppin, wife of the above. Was servant to Sir Thos. Warner. Indian Warner always lodged in the Indian house, and never was reputed Sir Thomas's son, but remained a slave with him and Lady March till with 2 Indians more he ran away. 1675, Dec. 18.

748. IV. Deposition of Col. Randal Russell, Deputy Governor of Nevis. Arrived out of Europe in the year 1637, and lived in Sir Thos. Warner's employ several years, and took account of his family, both of Indian slaves and others. Several ran away, one being the mother of Warner, so called because he was the first-born slave in the General's family in St. Christopher's. To the same effect as the preceding depositions. 1675, Dec. 20.

Together, 5 pp. [*Col. Papers, Vol. 35, Nos. 63, 63 I.–IV.*]

Dec. 20. **749.** Copies of preceding letter and depositions. *With mem. as follows* :—Upon this occasion Sir Robt. Southwell acquainted

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their Lordships that he had been at the Tower with Col. Warner, and finding him intelligent in the affairs of the West Indies had taken from him an account of the Caribbee Islands. 3 April 1676, under which date this account is abstracted. [*Col. Entry Bk., Vol. XLVI.*, 70–76 *and* 195.]

750. Petition of Colonel Philip Warner, Deputy Governor of Antigua, to the King and Council. He has been accused by the malice of a profligate seaman of crimes committed upon the Indians in Dominica (*see ante, No.* 439 I.), of which he is innocent, the witnesses at the last hearing having left out several circumstances, as also the distinction of time of 14 days between drinking with the Indians and killing them. Prays that his case may be re-heard, in order that he may prove his innocence, the petitioner giving bail to appear in six months, and thereby prevent the charge of sending him over as a prisoner. *Annexed,*

750. I. "The case of Col. Warner, now prisoner in the Tower." His answers to the charges against him for killing his half brother, an Indian, and several other Indians, at an entertainment, after they had, as friends to the English, assisted them against other Indians that were enemies. The reason alleged, that he had a pique against his brother.

750. II. Arguments by Col. Warner, prisoner in the Tower, in his justification and reasons in favour of his being allowed to put in bail, in case it should be judged necessary to try him. N.B.—By Order in Council of 18 May 1677, Col. Philip Warner was put out of the government of Antigua and any other employment or trust in the King's service. *Together,* 6 *pp.* [*Col. Papers, Vol. XXXV., Nos.* 64, 64 I., II.]

Dec. 20. **751.** Petition of Anne March, widow of Sir Geo. March, and late wife of Sir Thos. Warner, deceased, to the King. That Sir Thos. Warner was the only person who reduced at his own charge the Caribbee Islands, to whose government they were afterwards committed; that the present Governor appointed the Petitioner's eldest son Deputy Governor of Antigua, who raised forces and destroyed many of the Indians, but has been accused by the malicious information of one Hamlin of murdering his own brother and killing Indians in friendship with the English, and is now prisoner in the Tower. Prays, although innocent of those crimes, that he may have liberty to go to the petitioner's house at Limehouse, that she may take care of his health, he being dangerously sick, and finding security for his appearance. 1 *p.* [*Col. Papers, Vol. XXXV., No.* 65.]

Dec. 20. Spring Garden. **752.** Sir Robert Southwell to Sir Chas. Wheler. Finds, in perusing some papers relating to St. Christopher's, that 299 of the ancient inhabitants put in their claims within the time appointed, of whom 195 were in actual possession of their estates. Begs him

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to let him know by what rule these possessions were given, and what became of the common obstacles of melioration, actual price, &c., and whether these possessions were given by the National Court, by order of the two Governors, or by voluntary agreement of the parties, the Lords of the Committee having commanded him to make inquisition herein. 1 *p.* [*Col. Papers, Vol.* 35, *No.* 66.]

(Dec. 22.) **753.** Petition of Robert Mason to the King. Recapitulates his former petitions giving account of the grant of New Hampshire to his grandfather, and of the doings of the Massachusetts, and prays for reparation. *Endorsed,* "Read in Council, 22 Dec. 1675." *See No.* 506. 4 *pp.* [*Col. Papers, Vol.* 35, *No.* 67; *also Col. Entry Bk., Vol. LX., pp.* 63–73.]

(Dec. 22.) **754.** Petition of Ferdinando Gorges to the King. Recapitulates the grievances set forth in his former petition and prays for redress. *Underwritten,* Read in Council 22nd December 1675. Ordered, that letters be sent forthwith requiring the Bostoners to send Agents into England to answer for them, his Majesty resolving to right his subjects and put them into possession. 1 *p.* [*Col. Papers, Vol.* 35, *No.* 68; *also Col. Entry Bk., Vol. LX., pp.* 74–78.]

Dec. 22. **755.** Order of the King in Council. Recites the report of the Committee of 20th December, proposing that the copies of Mason and Gorges' petitions be sent to New England, with orders for the despatch of agents to England, and order that one of the principal Secretaries of State prepare a letter in accordance with the above report. 4 *pp.* [*Col. Entry Bks., Vol.* 60, *pp.* 79–82; *and Vol.* 96, *p.* 30.]

Dec. 23. **756.** Report of the Committee of Council for Plantations, &c., to the King. Their Lordships having debated the business in relation to the injuries done the English by the French, together with a memorial for Lord Berkeley to present in the Court of France, made report to his Majesty that on 18th June last they offered to his Majesty in Council how they found the state of St. Christopher's, as to the Governor and the two companies, and his Majesty was then pleased to give order in that particular. Have since been considering a way of redress for the Planters there who are still out of their estates; and their Lordships' next care will be to propose what they think expedient for the standing defence of all the other Leeward Islands. Find that 299 Planters claimed their estates, of whom only 195 are in possession, and 139 have not claimed as yet, so that of 438 who appear to have lost their estates, 243 are still dispossessed, and the French now enjoy on the English part 4,108 acres, whereof 2,708 have been duly claimed but in vain, as also a tract of land from Savanna to the Nag's Head on which are the salt pans, of which a moiety belongs to his Majesty, yet the whole is still detained by them. The principal points of difference have been as follows:—The English demand—(1) restitution of their Plantations paying only back the purchase money they received and subtracting for pejorations done during that time; (2) for the

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want of their estates from the time of Lord Willoughby's demand; (3) the 39 guns taken out of the English Fort; (4) that the negroes should be brought to make their choice as agreed by the Articles of Breda. The French demand—(1) from the English who would redeem their estates, the price mentioned in each Contract; (2) to be satisfied for meliorations; (3) the diet of prisoners while they did not work; (4) that the negroes taken at Cayan should have a free choice of their masters. These contradictions his Majesty referred to the late Council of Plantations, who by their address of 9th June 1673 (*see preceding Vol., No.* 1105), plainly set forth how unjust a part had been acted by the French Ministers, and other ill accidents in the management of that affair, and advised his Majesty for peace sake to quit several just and considerable pretensions, which are stated. To this effect Lord Arlington presented M. Colbert, the French Ambassador, with a memorial, but never any return could be obtained; so that he gave Sir W. Lockhart, when sent Ambassador into France, earnest instructions to revive all the demands relating to the island; who accordingly by his memorial of $\frac{6}{16}$ May 1674 (*see preceding Vol., No.* 1365 I.) set forth many of the obstructions so long given to justice, and made several demands which are summarised, and wrote home that he could have no answer than that they wanted time till the campaign was past to consider those things. Thus the whole affair has remained without redress, so that considering the many contradictions that have attended this work in St. Christopher's, and the delays in France, they propose that his Majesty's Ambassador, Lord Berkeley, may solicit in the Court of France for powers to the French Minister here to conclude this affair. And in order hereto their Lordships have prepared the heads of a Memorial for Lord Berkeley to present, as follows:—That there was presented to his Most Christian Majesty a memorial by his Majesty's late Ambassador, Sir W. Lockhart, dated $\frac{6}{16}$ May 1674, setting forth in some measure the wrongs of his Majesty's subjects in St. Christopher's to which no other than a verbal answer could be received from M. Pompone remitting the whole matter to the end of the campaign; but neither all the hardships are there expressed nor all the remedies proposed, which are necessary to fulfil the Articles of Breda in favour of the English. That his Majesty is become very sensible of these delays, and presumes the King of France would not allow such obstructions, if any certain method were proposed for verification thereof; and therefore, seeing that many authentic papers and witnesses are now in England, prays that he impower his Minister in London to receive proofs of what is to be alleged, and agree upon such a regulation as may be made binding in St. Christopher's, that so the rights of either party being settled, their estates and friendships may be also mutually improved. 6½ *pp.* [*Col. Entry Bk., XLVI.*, 29–36.]

Dec. 23. Whitehall. **757.** Minutes of the Committee of Trade and Plantations. The report touching St. Christopher's read and approved; also Memorial for Lord Berkeley to present in France to get powers to the French Minister to determine all differences of the Planters here, but the form to be left to Lord Berkeley, and the heads to be prepared to

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be laid before his Majesty against next Council day. All papers of the late Council of Plantations touching the standing defence of the island to be looked into and laid before their Lordships. Complaint of Capt. Gorges, Lt. Greatbach, and Mr. Freeman, junr., of the sad condition of Col. Stapleton and his soldiers for want of pay, and that the Planters who were forced to maintain them would leave for Jamaica, seeing his Majesty had no care for the place; that it was a shame to see how well the French forces were provided for, with constant pay, good clothes, bread, and wine from France, and several frigates still on the coast; that the English had but few great guns; that of the 6,000*l.* and more ordered in Council in June last, not one farthing was yet paid by the Lord Treasurer; that Mr. Nelthorpe had refused to advance money on tallies certainly payable in March; and that by the late disorder among the Bankers there was now so general a distrust, that it was in vain to expect any money on credit. Captain Gorges, being pressed, excused himself from furnishing the money, but spake much of the advantage of these Plantations, computing 50,000 men to be in Barbadoes, and as many more in the Leeward Islands, and that it was incredible how vast a stock, and how much navigation those few hands employed, to the benefit of England; and that it was not the Islands which drained men from England, but the Plantations on the Continent, which drained very many. 1½ *pp.* [*Col. Entry Bk., Vol. CIV.*, 56, 57.]

Dec. 27. **758.** Sir Chas. Wheler to Sir Robert Southwell. Has his of the 20th instant. Cannot remember that he ever heard how many put in their claims, but thinks that very few of them had sold their estates, and therefore the common obstacles of melioration, actual and pretended price, and demand of mere profits were out of doors, but were such as had deserted their estates because they would not take an oath of allegiance to the French King, but rather seek their bread in the wild world (a second history of the loyal Cavaliers); who hearing Sir Charles was again in possession of his Majesty's right, and had cannon and soldiers to defend them, came to take possession of their estates, which having been relinquished by the French after the Treaty of Breda had laid waste to the time of Sir Charles's arrival, and were called the King's lands. Made a rule that all men should enter their claims at the Secretary's office (which was but a shilling charge), not only that every man might be directed how to proceed in the National Court to demand his house, mills, and sugar-works which the French had taken, but that he might prevent multitudes of Irish who came from neighbouring Islands to get other men's lands. Any man who was a proprietor was directed to the Sheriff or Marshal, who without charge was to put him into immediate possession, and if he complained of any injury done by the French in his absence, he was directed to the English Judges of the National Court, who were to enter his demands without fee. Any who came to seek land were directed to two gentlemen appointed for each side of the Island, who without charge were to set them down according to their stock, with this condition, that in case the proprietor should return, quiet possession should be given him as soon as they had

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taken off the crop planted, otherwise they might continue till his Majesty should dispose of the land to them or any other; so that neither National Court nor Governors had anything further to do in these cases, and to the best of his remembrance of the 195 put into possession, there were not 20 who had sold their estates. Formerly told him that the proprietor who had sold, finding the French purchaser on his estate, could not be put in possession by the Marshal, but was directed to the English Judges of the National Court, of which there were three a week, to enter process against the Frenchman; who in so many days was to come to trial, and thereupon came in melioration and pretended price, then surveying, and the French Judges adhering to the Frenchman's, and the English to the Englishman's cause, and at last referring the process to the two Lieutenant-Generals, who never met. *Endorsed*, "Rec^{d}, 29th Dec^{r}." 4 *pp.* [*Col. Papers, Vol.* 35, *No.* 69.]

Dec. **759.** Abstract of a Report of the Council of Plantations concerning St. Christopher's, of 9th June 1673 (*see preceding Vol., No.* 1105); with note that in this paper are remitted to the French (1) all slaves carried away or not suffered to return, (2) all wastes and spoils within the last three years; and no mention is made of goods plundered coming off from St. Christopher's, nor of any other robberies in execution of the Edict of 10 June. 2 *pp.* [*Col. Papers, Vol.* 35, *No.* 70.]

Dec. **760.** Abstract of "the Report concerning St. Christopher's" (*see ante, No.* 671). Their Lordships represented the injuries done by the French, as follow: (1) after the rendition they forced his Majesty's subjects that would not swear allegiance to sell their estates at a small value for goods at high rates; (2) and forced them to sign the receipt of greater sums than received; (3) afterwards plundered them at sea; (4) at the notice of peace made spoil and wastes; (5) refused to surrender the sovereignty to Lord Willoughby; (6) refused to re-deliver several plantations though never sold; (7) refused to restore those sold for the real price, unless paid for meliorations; (8) refused to publish the peace, whereby notice might be given to the English slaves that they might return to their masters, but shifted them to other places; (9) the Commissioners for composing differences would not conclude anything, that the time of repurchasing might be elapsed; (10) the French had taken several English ships on account of approaching their coast, and killed a man for not striking [*sic*]. All which may appear by the respective papers. Advice for remedy: (1) that such English as did not sell their estates may be put in possession with reparation of the spoils committed; (2) that a longer time be agreed to for ascertaining the sums paid, and bringing back the slaves; (3) that such as sold might be restored to their estates on a due reimbursement, defalking the value of spoils and wastes; (4) that those that having sold their estates were plundered, may receive satisfaction; (5) and such as suffered by the Edict of 31 May/10 June; (6) that the French King may be informed of all wrongs done to the English; (7) to get his order for speedy

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restoration; lastly, that all other damages be less insisted on, or be set in balance against meliorations, &c. 1 *p.* [*Col. Papers, Vol.* 35, *No.* 71.]

Dec. **761.** Memorandum of the full extent of the English and French demands in St. Christopher's. English demands: (1) that the whole part of St. Christopher's formerly belonging to the English be submitted to the sovereignty of his Majesty in the same condition as it was before the war, and reparation made of what shall be found defective, as cannon, churches, &c.; (2) that his Majesty's subjects who did not sell, and those that did sell, on reimbursement of what was actually received, may re-enter upon their estates, reparation being made for all pejorations since the war, and damages sustained by being unjustly kept out of their estates from the time Lord Willoughby demanded restitution; (3) that all depredations made by the French at sea contrary to their capitulation may be repaired; (4) that the slaves taken by the French at St. Christopher's, Antigua, and Montserrat may have a free choice of their masters on due notice given them; (5) that the English may discount the diet of the French prisoners of Cayenne. French demands: (1) that the purchase money be repaid according to the value mentioned in the agreement; (2) that satisfaction be given for meliorations; (3) and for the prisoners' diet while they did not work; (4) that the negroes taken by the English from the French at Cayenne may enjoy a free choice of masters. 1 *p.* [*Col. Papers, Vol.* 35, *No.* 72.]

Dec. **762.** Articles agreed upon between Sir C. Wheler and M. de Baas, in the 2nd and 3rd Articles of the Treaty of Breda. That an account of wrongs and injuries done by persons not present in the English or French Islands be sent to their Majesties to do right, and those done by persons remaining there be repaired by the actors; that the negroes or their price be restored; that all pejorations and depredations be defalked on reimbursement, and meliorations likewise considered. On the 5th Article, that for the time the English prisoners did any work, their diet shall not be reckoned for, and that what shall be found owing for the French prisoners of Cayenne be lessened on account. On the 8th Article, that the English have liberty to re-enter on their estates after due reimbursement; and that on such default the King or Sir C. Wheler may re-enter in their names upon estates in the hands of Frenchman who shall refuse the Oath of Allegiance, and that a year and a day be allowed hereto; and as to those contracts said to mention more than was effectually paid, they are referred to the consciences of Sir C. Wheler and M. de Baas. On the 12th Article, Sir C. Wheler remits all pretences on the island of Statia. On the 13th Article, that all English slaves that are returned under the English subjection, and those that are still under the French, shall appear on the frontier to make choice of their masters; and that those slaves that are returned to the English from Antigua and Montserrat shall be equally divided between Sir C. Wheler and M. de Baas,

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till the two Kings have decided whether they shall be excluded the choice of their masters and return to the French, or otherwise enjoy a free choice. *To each article is written in the margin* "Agreed." 1½ *pp.* [*Col. Papers, Vol.* 35, *No.* 73.]

(Dec.) **763.** Abstract of Articles concerning St. Christopher's remitted to the decision of the two Kings. On the 2nd and 3rd Articles of the Peace, Sir C. Wheler demands reparation for all buildings, churches, cannon, sugar works, &c., taken from the English part of the island since the publication of the Peace, in execution of the 7th and 8th Articles. On the 5th Article M. de Baas demands payment for the diet, medicines, and clothes of the English prisoners, and more especially by virtue of a promise from Lord Willoughby. On the 8th Article, Sir C. W. demands that the English pay no more for their plantations than they actually received and effectually enjoyed, according to an account to be made and that defalcation be made of all depredations at sea. On the 13th Article, Sir C. W. demands a due publication hereof, and that the said slaves be brought before certain Englishmen thereto deputed to make a free choice of their masters, those of Antigua and Montserrat not excepted; or that some other expedient be found that the English may be acquainted with the free choice of their negroes, that they may be ready to make due payment for those that were sold. If this demand be granted M. de Baas requires that the like be done for negroes taken from the French at Cayenne. 1 *p.* [*Col. Papers, Vol.* 35, *No.* 74.]

(Dec.?) **764.** Extracts from Sir Wm. Lockhart and Mr. Montague's Instructions to demand satisfaction for St. Christopher's. In Article 3 of Sir W. Lockhart's Instructions, it is directed that a copy of that paper be delivered to him, which was given last summer to the French Ambassador here, upon which he shall press for such speedy and effectual order that that matter may hang no longer in suspense, to the great scandal and offence of his Majesty's subjects. In Article 2 of Mr. Montague's Instructions, he is directed on any occasion that offers itself to express his Majesty's satisfaction in the last orders given by the French King for the surrender of his Majesty's part of St. Christopher's, hoping there will be no further difficulty in his Governors to give obedience thereto; and also to let him know his Majesty has renewed his orders, for the speedy delivery of Acadia to those empowered to receive it, which are put into his Ambassador's hands. 1 *p.* [*Col. Papers, Vol.* 35, *No.* 75.]

765. Mem.—"Mr. Wren was to tell you the Eagle ketch was ready at Portsmouth to pass with the packet to Nova Scotia but wants money, which my Lord Anglesey is to be desired may be paid for the purpose." Fragment by Sir Joseph Williamson. [*Col. Papers, Vol.* 35, *No.* 77.]

766. Mem.—A. An alien stranger dies in Jamaica possessed of a real and personal estate, which it is alleged escheated to his

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Majesty. B. Obtains a grant thereof from his Majesty and demands possession. C. Who is in possession, pretends title by a grant from the late Governor Sir Tho. Lynch. Now B. would know whether his Majesty granted escheats to Sir Tho. Lynch in his Commission or not. ½ *p.* [*Col. Papers, Vol.* 35, *No.* 76.]

767. Mem.—That Mr. Secretary Williamson be shown the abstracts of letters from Hamburgh and Amsterdam, and also the paragraphs written by the Company (Royal African) to their agent about Fredericksberg. And to acquaint him that that place is no castle but five or six thatched houses with mud walls; only some guns are planted upon heaps of stones which are washed almost down every time of the rains. But lying upon a hill overlooking our fort, and less than a mile distant, it may be dangerous to suffer the Hollander to possess it. Also at Cabo Corso the Danes have a house. The Danes have a fort at Acra called Christiansberg which it is likely they will part with, also if they part with Fredericksberg the former may be more useful for trade. *Annexed,*

767. I. Extracts of letters respecting a design of the Dutch to take Fredericksberg in Guinea from the Danes. That they have sent out four ships to surprise that place. To persuade those of Fredericksberg to deliver it into the hands of the English rather than let it come into possession of the Hollanders. It is understood the Danes' house, built upon some part of English ground, is fallen down, to hinder the rebuilding, and as it is believed they will never be able to set out another ship "whereby to make an appearance of being a company," a ship they had lately laden with a full stock was cast away and lost. To treat with their agent to deliver up any or all the places the Danes have upon the coast, and take possession if to be had on reasonable terms. If he cannot prevail with the Danish agent to give up possession of the fort, then try with a gratuity to incite the Natives to obstruct the Dutch, and anticipate them in their design, getting possession for the (Royal African) Company. 1675, March–Nov. 1½ *pp.* [*Col. Papers, Vol.* 35, *Nos.* 78, 79.]

768. Description of rivers, capes, places, and towns in Africa, "in 6 deg. 50 m., N. lat.," also the trade and advantages of each place, being elephants' teeth, rice, gold, slaves, corn, &c. They include Cape Mount, Cape Mount Surada, the river Cestos Languenl, Buffo, Sino, Wappo, Grand Cettra, Cape Palmas. Quaqna Coast; Druen, river Andrea, Cape Lahow. Gold Coast; river Ashence, Cape Apolonia, Axemi, a Dutch castle of 14 or 16 guns, built by the Portuguese, a river by it is said to have a quantity of gold; Butterne, a Dutch castle, also a factory, with 6 or 8 guns in a stone fort; Anto, where is trade for corn, gold, and slaves. We had a fort there formerly of 12 guns, but it was blown up by De Ruyter; we have since had a factory in a negro's house. Succunde, 4 miles from Anto, where we have a factory in a

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negro's house. At Shuma the Dutch have a small castle of 10 or 14 guns; in this river all their ships wood and water, and supplies the mine with wood, good trade for gold and slaves. At Comenda the Dutch and we have factories in negroes' houses. Castle S. George de Mina, the Dutch chief castle, with commonly 180 to 200 white soldiers and about 46 guns mounted; a horse pistol shot from it they have a castle on top of a hill called St. Agoe, of 24 guns, which commands the Mine Castle. Cape Corso, where is our castle. Fredericksberg, chief of the Danes' factories, a small mile eastward of Cape Corso, only a few thatched houses and 2 or 3 platforms, with 12 or 14 small guns. Nassau, at Morea, is a brick fort of 16 or 18 brass guns, built by the States of Holland, and given the Company before they took Castle de Mina from the Portuguese. At Anathan, 7 miles from Morea, we had a fort there formerly of 12 or 14 guns, which for want of repair is fallen down, but the guns remain except Agent Mellish hath fetched them away. Annamabo, where was a small fort built by the Swedes, but in possession of the Dutch when we took it from them, was blown up, and a small charge will rebuild it. May land or go aboard if wars, in spite of Natives. Agga, where was formerly a Dutch castle, but blown up by the English, who have had a factory there ever since. Cormantin Castle, of 24 or 26 guns, now in possession of the Dutch. Wyamba, we had a fort formerly here, but went to ruin in time of civil wars at home; it would be the best place of trade on the coast if the Natives would let the inland merchants pass quietly through their country, which they never could be brought to, living most of all on plundering their neighbours and on hire for serving others in war; good place for slaves and corn. At Accra, 10 leagues from Wyamba, the Dutch have a fort of 6 or 8 guns, the Danes a fort of 8 or 10 guns called Christiansberg, and we have a factory here, a good place for trade of good gold and plenty of slaves. Best time of the year to arrive on the Grain Coast, Quaqua Coast, and Gold Coast. Distances of sundry places from Cape Corso Castle. 4 *pp.* [*Col. Papers, Vol.* 35, *No.* 80.]

769. "Observations in the year 1675 by me (Sir John Berry), then commanding H.M.S. Bristol, in relation to the trade and inhabitants of Newfoundland" (*see ante, No.* 744). That by the King's instructions he commanded all the inhabitants to remove either home or into some of the Plantations, though Mr. Parrott and others have abused his Majesty with contrary relations, "which I utterly disown." 1, The strongly garrisoned French fortifications in Placentia and other parts are for securing their fishing trade only, and not for the beaver trade as pretended, for no Indians ever come to those parts. 2, The commanders of the fishing ships destroy the stages, &c., for firing, that they make their voyages before their followers, and not by the inhabitants as is pretended. 3, That, in 1675, 45 of the chief western masters said that, if the planters were removed, the trade would be utterly destroyed, for reasons which follow, the tenth and last being that, if the inhabitants are taken off and the French left solely in pos-

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session to enlarge their fisheries as they please, they will in a short time invest themselves of the whole at least of Ferryland and St. John's, where harbours are almost naturally fortified, to the disadvantage of trade, if not the loss of all. Conceives the disorders are such as throwing stones and ballast into the harbours, the destruction of thousands of trees by barking them to cover their stages, houses, and cook rooms, besides firing; that there will be no regularity in the fishery in Newfoundland until it be settled under Government. 3 *pp.* [*Col. Papers, Vol.* 35, *No.* 81.]

770. Duplicate of the preceding signed by Sir John Berry. *Endorsed,* "Rec. 18 Aug. 1676. Read 5 Dec. 1676." [*Col. Papers, Vol. XXXV., No.* 82.]

771. An Act passed in the island of Montserrat restraining Physicians' high fees and fixing rum works. *Printed in* "Acts of Assembly passed in the island of Montserrat from 1668 to 1740 inclusive. London, 1740." [*Col. Entry Bk., Vol. LV., p.* 32.]

772. Map of the Windward and Leeward Islands in America, from Porto Rico to Trinidad, showing the English islands coloured red, the French green, the Spanish yellow, and Indian black. *One sheet.* [*Col. Entry Bk., Vol. XLVI., frontispiece.*]

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1675–6. Barbadoes. **773.** Six Acts of the Island of Barbadoes, viz.:—An Act appointing how the testimony of people of the Hebrew nation shall be admitted in all courts and causes; passed 18th Feb. 1674(–5). An Act for taking off the eighty days after execution for future contracts; passed 25th March 1675. An Act for regulating the gauge of sugar cask; passed 15th April 1675.

1676. An Act to prevent the people called Quakers from bringing negroes to their meeting; passed 21st April 1676. An Act to prevent the inconveniences upon the inhabitants of this Island by forestallers, ingrossers, and regrators; passed 29th Nov. 1676. An Act to explain a clause in the Act for establishing the Courts of Common Pleas within this Island; passed 29th Nov. 1676. *Printed. Before Sir Jonathan Atkin's administration the Governors alone signed the Acts, but from the time of this Governor the Clerks of the Council and Assembly attested the approbation of the Legislative Body. See footnote.* [*Col. Entry Bk., Vol. XV., pp.* 94–100.]

Jan. 8. Whitehall. **774.** Order of the King in Council. Approving Report of the Lords of Trade and Plantations of 23rd December last (*see ante, No.* 756), and authorizing Secretary Coventry to instruct Lord Berkeley, Ambassador Extraordinary in France, to present a memorial to the effect of what is therein proposed in order to obtain powers for determining the differences of St. Christopher's in this place, and with all diligence to solicit the despatch thereof. 4 *pp. Two copies.* [*Col. Papers, Vol. XXXVI., Nos.* 1, 2; *also Col. Entry Bks., Vol. XLVI., pp.* 30–36, *and Vol. XCVI., pp.* 32–38.]

Jan. 8. **775.** Order of the King in Council. On representation of Lords of Trade and Plantations the Lord Treasurer acquainted his Majesty that, notwithstanding the many difficulties he had met with in the procurement of money, yet in obedience to an order of this Board of 18th June last (*see ante, No.* 597), appointing 6,656*l.* 14*s.* to be paid to Colonel Stapleton and the two companies, the pay of two years, his Lordship had now ready half that sum which should be furnished in ten or twelve days when the ships would be ready to depart, and would furnish the residue between Lady Day and Midsummer next. And to establish a settled fund for support of that Island in the future, and that the companies be made complete, his Lordship proposed to make the duty of 4½ per cent. to bear not only the charge of that Island but of the rest, yet because the farmers of said duty pretended to defalcations and difficulties appeared in the settlement of their accounts, he would very speedily call them before him, and then pray his Majesty's presence in order to a more solemn determination of the same.

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[*Col. Papers, Vol. XXXVI., No.* 3; *also Col. Entry Bks., Vol. XLVI., pp.* 37, 38, *and Vol. XCVI., pp.* 38, 39.]

Jan. 9. **776.** Warrant to the Attorney or Solicitor-General. To prepare a Bill for the King's signature to pass the Great Seal containing a grant to Ralph Wyat of the office of Clerk of the Market of St. Michael's, Bridgetown, Barbadoes, during pleasure to execute the same by himself or deputy, with all fees, profits, and advantages thereunto belonging. [*Col. Entry Book, Vol. CX., p.* 81.]

Jan. 10. **777.** Sir Robert Southwell to Secretary Coventry. Encloses the Order in Council of 8th instant (*see ante, No.* 774), directing Lord Berkeley to solicit powers for the French Minister here to determine the disputes of St. Christopher's in this place, and it may be proper to say that he should not enter further into the business than concerns the obtaining said powers. Conceives Sir William Lockhart would have had a pretty hard tug of it if they had told him he came to ask more than was before by his Majesty's commands demanded by memorial from Mons. Colbert in London, "and I know not how the Lords will be well able to answer it here unless a thing were done which is not probable, my best hope is that the paper may be lost or mislaid, or that Mons. Colbert may be out of the way." Also encloses copy of Sir William Lockhart's memorial which he conceives was but part of a larger memorial that extended to the state of commerce between the two kingdoms in general, but Mr. Angier will be there able to inform his Excellency. [*Col. Entry Bk., Vol. XLVI., p.* 37.] *Encloses,*

778. I. Memorial of Sir William Lockhart, Ambassador from the King of Great Britain, for the restitution of St. Christopher's in accordance with the 7th Article of the Treaty of Breda. *Endorsed,* "Rec. 13 Jan. 1676." [*Col. Papers, Vol. XXXVI., No.* 4.]

Jan. 10. **778.** Journal of the Lords of Trade and Plantations. That Sir R. Southwell gave Secretary Coventry this day the Order in Council touching Lord Berkeley pressing in France for powers to have the matter of St. Christopher's treated here, and also a copy of Sir William Lockhart's memorial about the same business (*see preceding letter*). 'Tis observable Sir William Lockhart takes a method of exposing many grievances in the body of his memorial, yet prays for few remedies in the conclusion. If Sir Charles Wheler's proceedings were valid that memorial seemed all we could demand; but if invalid, and the demands fit to be enlarged, then the French will call for reparation against Sir Charles Wheler. Sir Charles did two things in St. Christopher's: 1st, make an absolute accord with M. de Baas in many points; 2nd, he made a statement of those difficult points upon which he and De Baas could not agree, and they were referred to the decision of the two Kings. Yet Sir Charles has this to say in his own vindication that these were not made final and conclusive by him, because in the counterpart of the agreement signed by him there was added a clause that all these matters were first to be submitted to the good pleasure of the King and his ministers, that is I suppose not to be referred

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to a new award if they were thought to be already determined or determinable by the Treaty of Breda. Memorandum showing what is contained in the report to the King (*see ante, No.* 756), and insisted on in the memorial of Sir W. Lockhart but when a power shall come from France to treat this business here then will it be fit to see in the first place what proofs from persons and papers are ready to vouch and justify the demands which are mentioned in Mr. Slingesby's draft. Lieutenant Greatbach says that the English now in possession in St. Christopher's were most of them restored upon very hard terms, as namely by payment of the price mentioned in the contract and giving allowance for meliorations, which is but an ill precedent. Memorandum.—That for the English who did not put in their claims in St. Christopher's no care is now to be taken, forasmuch as Colonel Stapleton and the Council of St. Christopher's thought fit to dispose of such lands, they lying waste, they are given to industrious persons who have since improved them. Memorandum on 17th Jan.—I (Sir R. Southwell) received from Mr. Angier at Paris all the papers Sir Wm. Lockhart had with him touching the business of St. Christopher's. [*Col. Entry Bk., Vol. CIV., pp.* 57–59.]

[Jan. 10.] **779.** Petition of several merchants of London adventurers to the Caribbee Islands to Lords of Trade and Plantations. Testify to the courage and prudence of Colonel Philip Warner, Governor of Antigua, a man of great loyalty, and to the forbearance and barbarous conduct of the Indians of Dominica who have often attempted the ruin of the plantation chiefly by the treacherous contrivance of an Indian named Warner; that Colonel Stapleton on the address of the Council and Assembly of Antigua commissions Colonel Warner to raise soldiers and go to Dominica to destroy those barbarous savages who by surprise, "it not being otherwise to be done," said Indian Warner and several savages were killed for which Colonel Philip Warner stands ordered to be tried at Barbadoes which petitioners fear will be a great encouragement to those infidels, ruin to Colonel Warner his wife and nine children, and an obsolute overthrow of Antigua and the trade of petitioners to that Colony. Pray their Lordships to present this petition to his Majesty and move him to enlarge Colonel Warner, or appoint his trial in England or in Nevis or any of the Leeward Isles. *Signed by* Bastian Bayer and twelve others. *Endorsed:* "Recd. from his brother Sir Thos. Warner, 10 Jan. 1676. Read 10 Jan. 1675–76." [*Col. Papers, Vol. XXXVI., No.* 5.]

Jan. 11. Whitehall. **780.** The King to the Royal African Company and four other Merchant Companies. His Majesty having for the encouragement of the art of navigation thought fit by Letters Patent of 19th August 1673 to establish and endow a foundation within Christ's Hospital for 40 poor boys therein to be instructed in the art of navigation and the whole science of arithmetic, and reflecting on the proof which through the industry and ability of John Leeke, the first Master, has been given of the effects of his bounty, in the extraordinary proficiency of 15 of the children first chosen into the said school, as upon strict examination by the Master and Wardens of the Trinity House of Deptford Strand has been largely repre-

1676. scented to his Majesty, has, for the encouragement of able and sober Masters to entertain the said children as apprentices, granted to the Governors of the said Hospital for ever by Letters Patents now passing an allowance of common seaman's pay, being 19*s.* per lunar month, to be given for three years to each master who shall take one of the said children as apprentice. And his Majesty most effectually recommends to them the promotion of this work as often as they shall he applied to by the Governors of the said Hospital on that behalf, as a matter well pleasing to God and profitable to the public. 2½ *pp.* [*Dom. Entry Bk., Chas. II., Vol. XLII., pp.* 20–22.]

Jan. 12. **781.** Secretary Sir Joseph Williamson to Lord Vaugham, Governor of Jamaica. Recommends to his favour and protection the bearer Mr. Elletson, a barrister-at-law and of good esteem in his profession, who goes to better his fortune in a climate where he hopes there may be more causes or at least fewer lawyers than in England. [*Col. Entry Bk., Vol. XCIII., p.* 146.]

Jan. 13. Whitehall. **782.** Journal of the Lords of Trade and Plantations. Three sheets presented to their Lordships being extracts of all the papers of the late Council of Plantations relating to the Leeward Isles under the heads following:—1, An account of the Leeward Isles in general; 2, Points relating to the security and trade of same; 3, The defence and trade of St. Christopher's. Out of all which papers several points were selected and Sir R. Southwell commanded to put those points together and send them in a letter to Captain Gorges, that he and such others who had knowledge of those parts and of what was necessary might either write their opinions thereon or attend their Lordships (*see No.*). Sir Charles Wheler's letter of 7th July 1675 (*see ante, No.* 618) was also presented, which contains: 1, Account of the Leeward Isles in general above referred to; 2, Points relating to the defence and security of same are also contained in Sir Charles's letter above mentioned and in various letters from Colonel Stapleton, dated in 1672 already calendared; and 3, The defence and trade of St. Christopher's is the paper of Lieutenant Greatbach, abstracted below [*annexed No. II.*]. Further "points relating to the defence, trade, and security, of the Leeward Islands" are contained in several letters from Sir Charles Wheler and Colonel Stapleton, dated 1672 to 1675 already abstracted under their respective dates. *Annexed,*—

782. I. Extract of several points relating to the defence and security of St. Christopher's.

782. II. Lieutenant Greatbach's proposals concerning St. Christopher's. To build a fort at Cleverley Hill and leave a platform of four guns at Sandy Point. Account of guns and ammunition in the stores. The planters have generally fire-arms. The French supply their planters with powder and shot, but ours have to buy their own. The French soldiers are well paid, ours have four years' pay due to them, and the French can bring into the field 400 or 500 men more than we can. Necessary to have a small man-of-war in time of peace. [*Col. Papers Vol. XXXVI.,*

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Nos. 6, 7 ; Col. Entry Bks., Vol. XLVI., pp. 39–48, and Vol. CIV., pp. 59, 60.]

Jan. 13. **783.** "Minutes concerning Religion and the security of St. Christopher's." The Lords of Trade and Plantations having heard the state of the Leeward Islands as to trade and defence out of three several papers, have reduced their thoughts to the heads following in order to prepare a report for the better defence of St. Christopher's and the good of the other plantations :—1st. About the state of religion in those parts and the want of ministers, when fit proposals can be presented that the bishop of London be discoursed withall to put some better regulation to this great and shameful neglect. Mem.—Touching the christening of negroes. 2ndly. Their Lordships hold it absolutely necessary to have the two companies completed to their complement of 80 men in each, and that there be a certain fund for their pay, and whether all the present soldiers be made planters as Sir Charles Wheler proposes, and two new full companies from Barbadoes or elsewhere raised left for consideration. Also about sending off malefactors condemned to transportation till the Island be reasonably stored ; also, as Sir Charles proposes, if poor debtors in prison go and serve for four years as there is so great a necessity of white servants. 3rdly. Supply of ordnance, arms, and ammunition. A fifth-rate frigate. A Court of Admiralty. The building a governor's house. Forts. The harbour of Antigua. Stores for Nevis, and about the three islands, Statia, &c. (Saba and Tortola). 2 *pp.* [*Col. Papers, Vol. XXXVI., No.* 8.]

Jan. 15. **784.** [Sir Robert Southwell] to Captain Gorges. The Lords of Trade and Plantations, being very solicitous for the good of the Leeward Islands, have debated several points :—1st, upon advice from Colonel Stapleton that there were some ministers and schoolmasters in Nevis but none in the rest of the Leeward Islands, their Lordships thought it a very shameful neglect, and are resolved to procure some redress. The bishop of London is well-disposed to send able men to those parts, with assurance of good preferment at their return ; is commanded to ask him how this good work may most properly be promoted who can say much in the matter himself, and to consult with those who know most to frame a proposal how many ministers are necessary, how to be qualified for those parts, and their subsistence, and lastly, to give his thoughts on the point of christening negroes, and what the French and other nations practice in this particular. Advantages of sending out good ministers. 2ndly. As to the defence of St. Christopher's; completing the two companies, and establishing a fund for their constant pay. Describes Sir Charles Wheler's and Colonel Stapelton's proposals on this matter. 3rdly. It is proposed, for the better filling that island with white men, that malefactors be transported thither, and Sir Chas. Wheler adds debtors in gaol willing to go if their debts were paid, and they would give assurance of their service to planters. 4thly. Also for a supply to be sent of ordnance, arms, and ammunition; and 5thly. That a fifth-rate frigate attend those parts, and the Governor have

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power to erect a Court of Admiralty. Is told Mr. Scutt is acquainted with those parts, but he knows best who is. [*Col. Entry Bks., Vol. XLVI., pp.* 49–51, *and Vol. CIV., pp.* 59–61.]

[Jan. 15.] **785.** Journal of the Lords of Trade and Plantations. Ordered, that a particular state be made of the condition of the three islands, Statia, Saba, and Tortola, taken by Colonel Stapleton from the Dutch in this last war, and though to be restored, the Dutch demand them not for fear the French should immediately take them out of their hands. "The question therefore that arises seems to be whether the title of the Dutch be not weakened for want of their making claim, and whether they are to have these islands whenever they call, notwithstanding the improvements which may be made upon them during our possession." State of these islands. Lord Willoughby's account in his letter of 9th July 1668 (*see No.* 1778 *in a previous volume of this Calendar*) is recited. Captain Gorges, Lieutenant Greatbach, Mr. Freeman, and other planters of the Leeward Isles inform these islands were first planted by the Dutch, but taken by the English and retaken by the French and Dutch till taken by Colonel Stapleton. Statia about five miles in compass, but Saba a mere rock. It would be most pernicious to the English if possessed by the Dutch in point of defrauding the trade, but the French, in point of power by their nearness to St. Christopher's, would be of great annoyance. Statia the most valuable; Tortola of no value at all. Refers to Sir Charles Wheler's account of Statia (St. Eustatius) in his letter of 14th Dec. 1672 (*see No.* 987 *in previous volume of this Calendar*) and Colonel Stapleton's letter of 13th July 1672 (*ibid., No.* 891), with account of his taking possession of these three islands, and his proceedings in consequence. That Statia was pretty considerable, and had a better fort than any of the English islands there, where he had left 120 armed men and 17 great guns, and upon Saba 40 armed men.

Their Lordships entered into debate about the obligation on Governors to return home bonds according to the acts of navigation, and commanded that this point should enter as an instruction into all the circular letters. [*Col. Entry Bks., Vol. CIV., pp.* 61, 62, *and Vol. XLVI., pp.* 52, 53.]

Jan. 17. Nevis. **786.** Governor Stapleton to Lords of Trade and Plantations. Refers to his letter of 20th Dec. last (*see ante, No.* 748) in justification of his Deputy-Governor of Antigua, who he understands to be a prisoner for his actings against the Caribbee Indians, ever perfidious to the English, occasioned by the deposition of William Hamlin, which Colonel Stapleton shows to be very erroneous for certain given reasons. The fact was committed on shore, and Hamlin master of a sloop was on board, and Indian Warner was killed on shore. Hamlin is a fellow of an evil life, and dare not return to Plymouth, and has since run away to Jamaica, and is now master in a Dutch privateer, and has chased and fired on an English boat. Prays their Lordships to consider the error of the deposition, and how unfortunate and dangerous is the condition of any man that bears command if he must be ruined in his fortune by imprisonment by such malicious informations. Urges in Colonel Warner's behalf, if he

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has erred in the form of fair fighting and has used stratagem to destroy a skulking heathen enemy, it is not without precedent of all nations who have settled these parts, and in all warlike Christian expeditions the like is in use at this day, and blowing up each other in mines, and destroying one another with trains of gunpowder without giving any notice. They beat up quarters, burn houses, whether the adverse party be armed or naked, awake or asleep, the actors rather applauded than punished. *Endorsed,* "Rec. and read, 14 April 1676." [*Col. Papers, Vol. XXXVI., No.* 9; *and Col. Entry Bk., Vol. XLVI., pp.* 91–93.]

(Jan. 19.) **787.** Petition of divers of his Majesty's subjects trading to the ports of Europe, and also into his Majesty's dominions in America, to the King. Complain that of late the inhabitants of New England, not regarding the Navigation Acts, trade directly with their own ships to most parts of Europe, and encourage strangers to trade with them, whereby all sorts of merchandise of the produce of Europe are imported directly into New England, and thence carried to all the other of the King's dominions in America, and sold at far cheaper rates than any that can be sent from hence, and that they take in exchange the commodities of the Plantations which are transported to Europe without coming to England, so that New England is become the great mart and staple, by which means the navigation of the kingdom is greatly prejudiced, the King's revenue inexpressibly impaired, the price of home and foreign commodities lessened, trade decreased, and the King's subjects much impoverished. Implore his Majesty to take the whole matter into consideration, and that the New England people may be reduced or compelled to trade according to the laws prescribed. 28 signatures. *Endorsed,* "Received 19 Jan. 1675/6, read 21, referred for remedy to the Committee, read at the Committee 6 April 1676." 1 *p.* [*Col. Papers, Vol. XXXVI., No.* 10.]

788. Copy of preceding, with minute that it was read 28th January 1675–76, and their Lordships resolved to ask the opinion of the Attorney-General thereupon. *Annexed,*

788. 1. Lords of Trade and Plantations to the Attorney-General. Whether by the Act of 25th of the King a ship that lades the commodities there enumerated and pays the duty there imposed, by declaring themselves bound to another of his Majesty's plantations, be not exempted from any other bonds, and at free liberty to carry such commodities to what part of the world they please. 5 *pp.* [*Col. Entry Bks., Vol. LX., pp.* 85–90, *and Vol. XCVII., p.* 28.]

Jan. 21. **789.** Journal of the Lords of Trade and Plantations Ordered, that inquiries be made concerning the authority of the Bishop of London over foreign plantations, for which the Charters of Virginia and New England are referred to, most probably about 1629, when

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Bishop Laud was in chief authority. Great debate on the merchants' petition complaining of the New England trade; consideration deferred. Ordered, that some few lines be put in the letter to be sent to New England, mentioning the great neglect of those people of Boston whosoever answered his Majesty's letter of April 1666, with such a turn by laying the want of earlier notice thereof partly on the public impediments of war, partly in the neglect of prosecution in the parties concerned, so as may reprehend the fault in them, and not draw part thereof on their Lordships' Committee. [*Col. Entry Bk., Vol. CIV., pp.* 63, 64.]

Jan. 21. **790.** Journal of the Lords of Trade and Plantations. Having ordered a duplicate of the circular letters sent to Lord Vaughan and Sir Jonathan Atkins to be sent also an additional letter, their Lordships altered the draft relating to the oaths for execution of the Acts of trade, and directed the inspection of the Governor's commissions and instructions on that point. Sir Robert Southwell presented a scheme of several heads sent by the late Council to some of the Governors which are to be taken in when letters are next written. Ordered also that an article be entered for keeping due account of all christenings, burials, &c., and that all Governors send home maps of their plantations. [*Col. Entry Bk., Vol. CIV., pp.* 63, 64.]

Jan. 21. **791.** Journal of the Lords of Trade and Plantations. Captain Gorges, Sir James Russell, Mr. Freeman, and Lieutenant Greatbach attended on the letter sent to Captain Gorges, 15th instant (*see ante, No.* 784), and all the points therein being debated their Lordships settled upon eight points in relation to St. Christopher's, and ordered a report to be made comprehending the same (*see No.* 808).

Mem.—Mr. Huffam, a Minister of Nevis, lies now at Spring Garden at Southwark, and is known to Mr. Freeman. Note the list of what arms are wanting in Nevis; about the harbour of Antigua, which is a furlong over and the forts built thereon by Colonel Stapleton, but without guns. Also touching war with the Indians of Dominica, and about the islands of Statia, Saba, and Tortola. [*Col. Entry Bks., Vol. CIV., pp.* 64, 65, *and Vol. XLVI., p.* 54.]

Jan. 23. Whitehall. **792.** Journal of the Lords of Trade and Plantations. Letter read from Sir Jonathan Atkins, dated at Barbadoes 21st November /1st December 1675 (? 20th/30th November, *see ante, No.* 711), praying for more time to answer the particulars of their Lordships' circular letter. A new letter to be prepared telling him that whereas he refers for information to his letter to Secretary Coventry, their Lordships expect that he himself would make a narrative and deduction of all things since the time of his government there. [*Col. Entry Bk., No. CIV., p.* 67.]

Jan. 23. St. Jago de la Vega. **793.** Journal of the Council of Jamaica. Present: Governor Lord Vaughan, Sir Henry Morgan, Colonels John Coope, Charles Whitfield, and Anthony Collier, Lieutenant-Colonels John Bynd-

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losse, and Thomas Fuller and John White. His Excellency communicated the condition of the parish of St. Maryes, and that the rebellious negroes were not yet reduced; the Council recommend the raising twenty good men to be kept in pay, at least two months, or until said negroes be subdued, that every parish make a contribution, and Colonel Coope be desired to see the men immediately raised and put under the command of Lieutenant Collet, with an assurance that besides their pay they shall receive for the taking and killing of the negro called Peter 20*l.* sterling, for the negro named Scanderberg 15*l.*, for the negro called Doctor 15*l.*, and for all the rest of the rebellious party 5*l.* per head, according to the Act; shoes, bread, arms, and ammunition to be advanced out of the Treasury, and repaid from the several parishes as per the rates stated, viz., eleven parishes to contribute 245*l.* Six Spanish negroes to be sent over to assist with their lances. Proclamations of the Governor prohibiting the selling arms or ammunition to any negro slave without a ticket from his master, or against harbouring, concealing, or conniving at any of the rebellious negroes under severe penalties. Report by Sir Henry Morgan of "unhandsome and misbeseeming words and carriage," which Colonel William Ivey had expressed to the Governor in his own house, and prays that Colonel Ivey be ordered to appear before the Council at their next meeting. [*Col. Entry Bk., Vol. XXXV., pp.* 499—453.]

Jan. 26. St. Jago de la Vega.

794. Peter Beckford to Secretary Williamson. Has received his of 16th July. Do not find ourselves more than 5,000 fighting men, and about double the number of women and children, and supposes treble the number of negroes. The island daily increases in planting considerably, but by means of the Royal African Company's negroes being at too high rates, they are in continual want of them, so that less sugar is made, and the King's revenue lessened. Arrival of a French man-of-war, who took a "Spaniard" (vessel), their share in money about 80*l.* a man, besides silks and other rich goods. Port Morant not being fortified our Government could do nothing, but none traded with the Frenchman; my Lord uses all possible means to keep peace with the Spaniards, though they are not so careful on their parts, but they have not been very troublesome lately to our logwood men; if that trade were encouraged it would employ all our privateers, who otherwise will be committing piracies upon the Spaniards for they cannot work. The Spanish fleet at the Havanna and will not sail till end of February, and carry home very great treasure. 2 *pp.* [*Col. Papers, Vol. XXXVI., No.* 11.]

Jan. 28. Whitehall.

795. The Duke of York to Major Andros. Approves of his demand of all the land west of the Connecticut River, as comprised within their Letters Patent, but is not willing he should proceed further, in regard he hopes hereafter for a more convenient means of settling the boundaries, approves of the limitation of Connecticut for the present to a distance of 20 miles from Hudson's river. Cannot but suspect an assembly would be of dangerous consequences, nothing being more known than the aptness of such bodies to assume

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privileges destructive to the peace of the Government; does not see any use of them which is not as well provided for while the Governor and Council govern according to laws established; however, if he continues of the same opinion, will be ready to consider of any proposals to that purpose. Approves of his taking off the 2 per cent. from goods of America brought into his port, supposing nothing of this kind is to remain beyond the three years just designed. Wishes for a more exact account of the revenue and charge, he having put him in hopes that the Government will be (at least) able to support itself and save the burthen it has been hitherto. Recommends Captain Salisbury, the bearer of the letter. 1 *p. Printed in New York Documents III.*, 235. [*Col. Entry Book, Vol. LXX., p.* 20*b.*]

Jan. 28. St. James'. **796.** Sir John Werden to Major Andros. Hopes the scarcity of provisions (mentioned in his letter of the 8th instant) will be no longer so, in regard of taking off of the duty on salt. Whilst the Navigation Act stands in the way, it cannot be obtained to have ships trade directly from Holland to his parts, and his other proposition, to have ships cleared at the out ports without being strictly searched, is so much opposed by the customers that he looks upon it as wholly impracticable. Is not able to judge of his raising the value of pieces of 8 to 6*s.*, but Mr. Delavall thinks they will bear 6*s.* 6*d.*; supposes he remembers that the raising of money above its intrinsic value in a country is a certain way of debasing its commodities and therefore a kind of impoverishing it. Caveats will be entered to prevent any new grants to Connecticut till his Royal Highness be heard. In answer to the allegation that the Duke is entitled to all that the Dutch had in those parts and that Connecticut Patent is so uncertainly bounded that it may as well extend as far as Virginia as to what they now claim, it is said to be proved that they had possession of all or most they now enjoy before the Dutch were expelled from New York, and that their patent must be void wholly, if it did not entitle them to the very bowels of their country, and that the King's Commissioners in 1664 settled the boundaries which were assented to by the Duke's Lieutenant-Governor. The Duke on the whole is wishing things should stand as they are at present, but is not sorry the claim is revived, because possibly some good use may be hereafter made of it. The Dutch Ambassador, Mr. Van Beningen, has put in a memorial that the Dutch complain that the Governor imposes the oaths of allegiance and fidelity, and will not declare (as the late Governor did and the articles of surrender to Colonel Nicolls require) that they should not be obliged to bear arms against the Hollanders; he prayed that they might have the oaths in as large a sense as was agreed or else leave to transport themselves and their estates elsewhere. Answered that he did not know of any such declaration under the hand of any preceding Governor, and the only article of surrender of the kind says they shall not be pressed to serve in war against any nation whatsoever, which was directed against pressing (as in the navy in England) and not to exempt inhabitants from bearing part in the common defence; that anyone might with-

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draw himself and estates freely. Reminds him that it is the Duke's intention to have all persons treated with all possible humanity and gentleness. Knows nothing like a project that he is fonder of than that of setting up a fishery in Long Island, both for the number of hands and shipping it will employ, and the concourse of people it may draw. The value of the timber in the Castle frigate was 400*l.*, so that reckoning the cargo about 1,300*l.*, the charge for wages 800*l.* and victualling 500*l.*, the Duke was about 2,200*l.* out of purse by the expedition for the repossessing New York, which he would be heartily glad to see in a fair way of being reimbursed to him. He will do well to look always upon the Duke's territory as bounded northwards by Canada, and when any occasion shall be to take out a new patent, care will be had of fixing the northern limit; may say the like of Delaware; wishes the distinct marks and boundaries of those countries to be sent, and an account of what towns or territories on the west of Connecticut river were actually under the government of Connecticut in April 1662 (the date of their patent). 8 *pp. Printed in New York Documents III.*, 236–238. [*Col. Entry Bk., Vol. LXX., p.* 21.]

Jan. 28. **797.** Journals of the Lords of Trade and Plantations. The merchants' petition read complaining of the trade in New England, and the report of the Commissioners of Customs. Ordered, that a letter be written to the Attorney-General for his opinion in the matter. Inquire whether the Commissioners of London have any under officers in New England, which yet seems not probable, because these grow none of the commodities enumerated in the 25th Car. II. Proposed to take into consideration when they have leisure the value of coins in the Plantations, being told that in New England they make money which is alloyed a fourth part to that of England, and that the English 9*d.* goes for a shilling. Mr. Mason called in to explain the scope of the afore-mentioned petition and how he understood the meaning of the Acts as to the liberty of the trade in that point which is referred to Mr. Attorney. [*Col. Entry Book, Vol. CIV., pp.* 67, 68.]

Jan. 28. Council Chamber. **798.** Sir Robert Southwell to Sir William Jones, Attorney-General. The Lords of Trade and Plantations desire his opinion on a clause in the Act of 25 Car. II. for better serving the Plantation trade as to the bonds to be given by ships bound to the Plantations. With the Attorney-General's opinion annexed. *Endorsed*, "8 Feb. 1676. Read 6 April 1676." 2 *pp.* [*Col. Papers, Vol. XXXVI., No.* 12.]

Jan. 28. Jamaica. **799.** Governor Lord Vaughan to Lords of Trade and Plantations. Received their letter of 11th August [*see ante, No.* 650] on 29th December last and sends answers to the several heads their Lordships directed. Understands that the body of laws he sent to Secretary Coventry [*see ante, No.* 538] lie before their Lordships. Hopes they will be approved and his Majesty's assent given to them. The sooner they are returned the better for encouraging people to come when they know the laws they shall be governed by, besides he is

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tied by his instructions not to re-enact any. Could not possibly get an exact number of the people but has given orders for doing so, there has never yet been any true account kept, all sent home only by guess. Trade and planting considerably improved, the island exceedingly helpful and the children born in it live and are very prosperous, so that the "Croyolians" and natives will in a few years make a great people. Those who removed from Surinam have proved a considerable addition to us, most of them well settled and exceedingly pleased with the Island. Encloses the last six months' account of his Majesty's revenue. Has given Secretary Coventry an account of the fatal loss of his Majesty's stores and how it happened. That he had issued proclamations for liberty of conscience and to call in the privateers for forbidding his Majesty's subjects to serve against his Majesty's allies. Has also stated the true state of our logwood cutting at Cape Catoche and how many interests of this place depend upon it; awaits orders and directions concerning it. A good body of laws await his Majesty's confirmation. Account of their losses and injuries sustained by the Spaniards sent to the Havannah, but a very imperfect answer received. Will, however, be very careful in observing the peace, but the Spaniard's jealousies and fears are so great they have never kept that correspondence with us the treaty requires. Only one fort at San Domingo in Hispaniola few people and very poor, correspondence with them very difficult. The westward part chiefly possessed by French, they have several plantations and live chiefly on tobacco and hunting, the number not so great as four or five years ago. It is feared they may be masters of the whole island at least. Account of Cuba and the Havanna. Hears that some of the Spanish Governors have received licenses to buy negroes, if so, it will be a good opportunity to endeavour to make a contract with them which would contribute to the interest of England and this island. *Encloses,*

799. I. Account of the revenue at Jamaica from March to September 1675. Total, 754*l.* 7*s.* 3*d.* Also the contingent charges of the Treasury. "Rec. 8 May 1676." 2 *pp.* [*Col. Papers, Vol. XXXVI., Nos.* 13, 13 I.; *also Col. Entry Bk., Vol. XXIX., pp.* 32–40.]

Jan. 28. Jamaica.

800. An account of the present state and condition of His Majesty's Island of Jamaica under the command of his Excellency John Lord Vaughan, Captain-General and Chief Governor of the said Island, this 1st day of January 1676. The situation and commodities of the Island. The laws and rules of Government. The officers, Civil, Ecclesiastical, and Military. The Island divided into 15 parishes, which are named. A Supreme Court of Judicature held at St. Jago de la Vega every three months, consisting of a Chief Justice and four Assistant Judges, a Clerk, Marshal, and Crier. Mrs. (? *sic.*) Clough, of the Inner Temple, has a patent for the Clerk's place. Commission and Instructions for Sir Thomas Modyford to be Chief Justice. The Orders and Rules for the Supreme Court at St. Jago. The parishes of the Island make several

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precincts or countries, in each of which are Courts of Common Pleas and Sessions. Names of the Judge of Common Pleas and his assistants, with their Commissions, Instructions, and Orders and Rules of procedure. Names of the Justices of the Peace, with their Commission. The precincts, with names of Judges and Justices. Commission of the Attorney-General Edmund Ducke, Esq. The offices of Secretary and Provost Marshal. His Majesty has favoured the Island with a mace, brought over by Lord Windsor, and carried before the Governor on solemn occasions; there are also a broad seal, and two Masters in Chancery. Thirty acres of land ordered by His Majesty to be given to every one that comes to settle; survey and tenure. Officers belonging to the Court of Chancery. Surveyors commissioned by the Governor; their Instructions. A Court of Admiralty established at Port Royal, consisting of Sir Henry Morgan and two Assistants, with various officers. The Governor is Judge of the Prerogative Court, and as Ordinary presents all that are qualified for the Ministry; whose maintenance is now appointed by the Assembly, so that they are not left to the mercy of their parishes as formerly. His Majesty's revenue is but small, and arises from quit-rents, fines, forfeitures, and escheats; the land granted in Sir Thomas Modyford's times pays 2*s.* 6*d.* per 100 acres, and that granted by Sir Thomas Lynch ½*d.* per acre. John Crompton appointed to receive the quit-rents; his Commission and Instructions. Edmund Ducke, Esq., for the collection of fines and escheats; his Commission. Reginald Willson, to collect duties raised by an Act of the Government on drink, sugar, indigo, ginger, and cocoa; his Commission and Instructions. Thomas Martin's Patent. Samuel Bernard appointed Treasurer to receive accounts from these officers of the revenue; his Commission. Sir Henry Morgan is also commissioned by His Majesty to be Lieutenant-General; his Orders and Instructions. Seven regiments of foot and one of horse. Names of the parishes in which they are raised, and of their commanding officers, with their Instructions. No fortifications in the Island, but at Port Royal, where there is a castle with 40 guns, called Fort Charles, a platform lately built at Bonham's Point with 13 guns, named Fort James, and a good line nearly finished which cuts off the point from the mainland; to these belong a Captain, Colonel Theodore Cary, who has 6*s.* per diem, and four matrosses, with 1*s.* 6*d.* per diem each, who are the only soldiers in pay in the Island. Trade and commerce of the Island; trade only with England; a naval officer at Port Royal to see that the Acts of Trade and Navigation be punctually observed; his Commission and Instructions. Commission also given to Lieutenant-Colonel Ralph Whitfield, at Port Morant, which is a good harbour, and likely to be much frequented. Most of the ships trading from Europe come directly from London, and are between 80 and 100 tons, and some few of greater burden. Their lading is dry goods, servants, liquors, brandy, and all manner of ironwork, &c., for planters; many touch at the Madeiras and bring wine, and return with the commodities of the Island, hides, and logwood cut at Cape Catoche, which has exceedingly contributed to the lading of ships and keeping up the

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trade. Some ships come from Ireland with provisions and servants, and return with sugar, tobacco, and logwood. Several merchants at Port Royal have correspondents at Bristol, Chester, Plymouth, Southampton, who supply servants, coarse cloths, provisions, iron-work. It is to the interest of the Island that the trade of Ireland and these other places be encouraged, to disappoint those of New England, who never brought any servants or would take off any goods, but in exchange of their fish, peas, and pork carried away our plate and pieces of eight; but since the Island has begun to have good store of flesh, they begin to leave off that trade. No vessel come from New York these two months. Between Barbadoes and this place two or three vessels are constantly passing, and every day some people remove hither; from the other Caribbee Islands no vessels come unless driven down by storms. There may be about 60 or 70 vessels belonging to the Island, and wholly employed in fetching logwood and salt, turtling and striking manatee, or fishing in the bays of Cuba; others go to Tirise, and the Lagunas of Yucatan; some sloops trade with the French for hides, meat, and tobacco; some have little designs with the Spaniards, and others with Curaçao. These small vessels built in the Island pay no tonnage, or any duties, and take out their let passes but once a year, or every six months; it being much to the interest of the Island to encourage them, for they employ abundance of men, bring trade to the Island, and constantly give advice, so that no enemy can surprise the Island. 53 *pp.* [*Col. Entry Bk., Vol. XXVIII.*, 44–96.]

Jan. 28. Jamaica. **801.** Governor Lord Vaughan to Sir Robert Southwell. Has received letter and Order in Council from the Lords, and in answer sent an exact account of the present condition of the Island and Government with a kind of journal of all his proceedings since his arrival. Hopes he has fully observed all their commands, and laid before them all the interests of this place so that Jamaica may be fully understood. The confirmation of their laws exceedingly imports the present and future interest of the Island; has given the Lords divers reasons for the speedy dispatching of them, should they scruple or stick at anything. Sir Thomas Lynch or Captain Molesworth will give their Lordships satisfaction, for indeed the laws are municipal and particularly adapted to the interests of this place, so cannot be clearly understood by those who are strangers. Begs he will let him know how his papers are received and approved. "Rec. 8 May 1676. Read to the Lds. 11th." 1 *p.* [*Col. Papers, Vol. XXXVI., No.* 14; *also Col. Entry Bk., Vol. XXIX., p.* 31.]

Jan. 30. Jamaica. **802.** Governor Lord Vaughan to Sir Robert Southwell. Sends this only to accompany the bearer, Captain Molesworth, one of the Council, and a very "ingenious" person, who will give great information and light concerning the laws, and very agreeably entertain Sir Robert with all the interests of this place. "Received from Captain Molesworth, 3 June 1676." 1 *p.* [*Col. Papers, Vol. XXXVI., No.* 15.]

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Jan. 31. St. James'. **803.** Sir John Werden to Major Andros. Forgot to mention in his long letter of the 28th that none of the previous Governors of New York permitted any foreigner's vessels to pass up the river of New York to sell their goods up at Albany, or elsewhere in the country, but obliged them always to sell what they had at New York, thereby securing better the public duties at New York and enriching the people there by giving them the opportunity of the first markets, and of keeping the beaver trade in the hands of the inhabitants of the colony, whereas 'tis said Andros permits the Bostoners and other strangers to go up in their small vessels to Esopus and Albany, and elsewhere, as freely as the very natural subjects of his Royal Highness's colony. Will be glad to have his reasons for a proceeding different from what was heretofore thought best for the place. ¾ *p. Printed in New York Documents, III.*, 238. [*Col. Entry Bk., No. LXX., p.* 21*b.*]

Jan. Antigua. **804.** Two Acts passed in the Island of Antigua, viz.: For the regulating of certain clauses in an Act of this Island entituled an Act for extending of lands and goods for debts and mulcts; and for the establishing the six towns or places of trade within this island for the encouragement of trade and commerce. [*Col. Entry Bk., Vol. L., pp.* 299–304.]

Jan. **805.** "Breviate of the behaviour of the Dutch General at the Castle of St. George de Mina in Guinea towards the English General there and the English interlopers upon that coast." About May 1675 a Dutch West India ship seized the Hope of Dover, with the King's pass, with cargo amounting to 3,700*l.*, carried it into the port of St. George de Mina, and made prize of it. About January 1676, the Alice of London, John Gribble, master, was chased on the coast of Guinea by several of the English (Royal African) Company's ships, but fell into the hands of a Dutch ship, and was carried to the port of De Mina, and all her cargo disposed of. 1 *p.* [*Col. Papers, Vol. XXXVI., No.* 16.]

Feb. 2. **806.** Estimate of the Officers of the Ordnance for arms and field carriages to be sent to St. Christopher's, viz., 500 small arms with powder and ammunition, and 18 field carriages. Total, 1,113*l.* 5*s. Signed by* Jonas Moore, Edward Conyers, and Edw. Sherburne. "Read at the Com^{tee}, 3 Feb. 1675–6." 1 *p.* [*Col. Papers, Vol. XXXVI., No.* 17, *and Col. Entry Bk., Vol. XLVI., pp.* 62, 63.]

Feb. 2. Port Royal, Jamaica. **807.** Sir Henry Morgan to Secretary Williamson. Has received his letter of 16th July. Is sorry he cannot answer his commands, for the little share Sir Henry has in the government makes him incapable of giving any perfect account of the state of the Island which his Excellency has not as yet been pleased to give him leave to see. And as for corresponding with their neighbours, the French and Spaniards, he has positively commanded the contrary, and having ever loved obedience to his superiors will never presume to break his orders; but if his Honour thinks it may be as Sir Henry

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is apt to believe, for his Majesty's service, begs to receive his orders therein, and shall then labour all that he can to satisfy him. 2 *pp., with seal.* [*Col. Papers, Vol. XXXVI., No.* 18.]

Feb. 3. Whitehall.

808. Report of the Lords of Trade and Plantations to the King. Presented his Majesty on 8th January last (*see ante, No.* 775) with their opinions of the best method for restoring his Majesty's subjects of St. Christopher's to their possessions, and having since considered what relates to the defence and security of that place, examined all papers and summoned merchants and others who have lived there and are acquainted with the affairs of those parts, and now propose,—1st. That good ministers be sent over to St. Christopher's, Nevis, Montserrat, and Antigua, one to each place, and that his Majesty enable the Bishop of London to secure preferment unto them in the church for their pains there, since they are not like to find any stipend of above 50*l.* per annum. 2nd. To complete the two companies to the number of 80 men in each, and to that purpose send over 80 men for recruits, and to settle a fund for their support, otherwise they must scatter themselves in the island where work or charity may be found, which is the present case of the soldiers there, who are almost naked for want of so many years' pay, while the French appear in strength and vigour, punctually paid, and supplied with clothes and provisions. Beseech his Majesty to consent to what the Lord Treasurer declared on their Lordships' last report of 8th January, and to direct his Lordship to advance that fund (3,478*l.* 10*s.* 8*d.*) to Lieutenant Daniel Greatbach, who is sent over to that effect, unless his Majesty shall think fit for more expedition to draw that number of men out of his Majesty's guards, who would prove more useful, and whose rooms would be more easily supplied. 3rd. To allow the Merchants and Planters to have 300 malefactors condemned to be transported, free of fees from the gaols, for the better supply of white men in the Island. Sir John Shorter, sheriff, finds the fees may be reduced to 1*l.* 11*s.* a head, or in the whole 465*l.* 4th. To erect a fort at Cleverley Point, and that his Majesty contribute 500*l.* 5th. To send 400 or 500 arms with ammunition, to the value of 491*l.* 8*s.* 6th. To send 18 field carriages, which will amount to 499*l.* 7th. That the islands be attended with a fifth-rate frigate. 8th. That a Court of Admiralty be erected there as in Jamaica and Barbadoes. *Signed by* Anglesey, Ormonde, Craven, Fauconberg, J. Bridgewater, and Robert Southwell, "which being read in Council on 18th February following, his Majesty did not then think fit to signify his pleasure thereupon." 8 *pp.* [*Col. Papers, Vol. XXXVI., No.* 19 ; *also Col. Entry Bks., Vol. XLVI., pp.* 54–61, *and Vol. CIV., pp.* 64, 65.]

Feb. 3. Whitehall.

809. Journal of Lords of Trade and Plantations. The report prepared by their Lordships' order, touching the defence of St. Christopher's, containing the eight points ordered on 21st January, read and approved. Only ordered that some inquiry be made touching the malefactors, as how the merchants would warrant and secure that they should not return back ; and about

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reducing the fees which the gaolors demand at their delivery, Sir John Shorter, Sheriff of London, to be writ to on this point, and Captain Gorges on the other. Also agreed that the field carriages to be sent over according to estimate of Officers of the Ordnance should be carriages that are shod, and 400 small arms. Lieutenant Greatbach to give copy of his Colonel's instructions for soliciting "about conveniences for St. Christopher's," and Colonel Stapleton in the circular letter to have information of their Lordships three reports touching St. Christopher's, and to be required to send home a general state of the Leeward Islands. [*Col. Entry Bk., Vol. CIV., pp.* 68, 69.]

Feb. 3. **810.** Journals of the Lords of Trade and Plantations. Ordered, that in the circular letters for New England, the Governors be required to send home exact maps of their colonies. Mr. Attorney to be called upon for his report (*see No.* 814). Mr. Purcas, an old inhabitant of New England lately come over, to attend the Lords. Letter of 18th December 1675 from Governor Leverett to Secretary Williamson read (*see ante, No.* 745). The Earl of Anglesey informed their Lordships that he also had during his late sickness a letter from the same hand. [*Col. Entry Book, Vol. CIV., p.* 69.]

Feb. $\frac{3}{13}$. [Barbadoes.] **811.** Governor Sir Jonathan Atkins to Lords of Trade and Plantations. Their letter of 11th August did not arrive until the January following "thro' the malignity of this last year by the operation of a most fatal hurricane." Will do his best to answer their Lordships' enquiries. Found the Government in the hands of the Council on the death of (William) Lord Willoughby with a President of their own selection. [*N.B.—The answers to enquiries which follow are contained in the next Abstract entitled,* "An Account of his Majesty's Island of Barbadoes and the Government thereof," *so that Governor Atkins' comments upon the answers are only referred to in this abstract.*] Their greatest wealth is slaves, and the strictest laws are made to establish propriety in them and to keep them in order. Payment on all contracts is in sugar, cotton, and ginger, the other products of the country being accepted. Was received at his coming with "great alacrity and belief in me as much as could be expressed," and the first thing he did was to call a new assembly who met so well tempered that all disputes were laid aside "so that with some industry I have brought them to a right understanding one with another that we all live amiably." Leaves it to their Lordships whether it is honourable for the King or safe for the people to leave the Government in the hands of the Council, "but doubtless if the Governor die 'tis best that a Deputy be appointed by him till his Majesty's pleasure" (*sic*). Believes there is not a spot of ground in the universe better planted or better inhabited. It is very fruitful and always green the whole year. The Guinea corn produces a thousand for one grain. A Spanish Don driven in by foul weather was amazed to see so great a city with so great gardens, the many villages being so near together look at a distance like one great city. Ministers are presented by the Governor to the several parishes which are not

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endowed but honestly provided for by the parishioners, only the ministers are not all ordained there being no means for it. Wills are proved before the Governor and kept on record by the Secretary, and all deeds of sale and mortgages registered, but not one penny of fee or profit to the Governor. The collecting of the King's revenue of 4½ per cent. is very troublesome to the people, and the ends for which it is granted are not accomplished, which they say has compelled them to present it in their address to the King as among their grievances. The King hath no effective force in his pay nor is he one penny charged with this Island. Ammunition, arms, and all other military employments are upon the public account. The Militia is solely in the King and the Governor is his Captain General. There are two regiments of horse of 14 troops or 800 and in a short time 2,000 can be mounted. Six regiments of foot make 8,000 men. People frequently go to other plantations in America, some for change others with persuasion of mending their fortunes, but many would be glad to return, many of the American colonies not being very inviting by reason of the Indians who destroy the people and spoil their goods. Doubts they will not easily be subdued for they have learnt the art of praying, and by their doctrine the knowledge of right and wrong which gives them a confidence, the lands the English enjoy are properly theirs, and they have imbibed a spirit of rebellion "a devil that I doubt will not be laid with prayers and fasting." Their misfortunes are from the hand of God and not from any neglect of their own. 200,000*l.* will not repay the damage caused by the hurricane of last August, churches, houses, and mills being destroyed, and the sugar canes twisted and spoiled. 5 *large pages.* "Rec^{d} 22 April 1676, read 24 April 1676, and to be considered when the business of Barbadoes is taken in hand." [*Col. Papers, Vol. XXXVI., No.* 20; *also Col. Entry Bks., Vol. VI., pp.* 47–57, *and Vol. CIV., p.* 111.]

812. "An account of His Majesty's Island of Barbadoes and the Governmemt thereof." Situation; extent, 120,000 acres; discovery, before 1600; taken possession of by Sir William Courteen in February 1627; first and second grant to the Earl of Pembroke in trust for Sir William Courteen 25th February 1628; third grant in 1627 to the Earl of Marlborough of all the Caribbee Islands; fourth grant to the Earl of Carlisle 2nd July 1627 of certain islands, and another of 7th April 1628; Governors appointed by the Earl of Carlisle till 1646; Lord Willoughby admitted Lieutenant-General in 1649, and dispossessed in 1651 by Sir G. Ayscue sent with a fleet from the Parliament; surrender of the Earl of Carlisle's Patent in 1663, and Francis Lord Willoughby constituted Governor; death of Francis Lord Willoughby in August 1665, and appointment of William Lord Willoughby 3rd January 1667. Separation of the Leeward from the Windward Islands in 1671. Death of William Lord Willoughby 10th April 1673, Sir Jonathan Atkins appointed to succeed him; Government; his powers, Commission and Instructions, his Council, consisting of 12 chief inhabitants nominated by His Majesty; assembly, of 22 persons, two being chosen out of every parish by freeholders holding 10 acres of land;

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laws, framed by the Governor, Council and Assembly continue in force two years only unless confirmed by His Majesty; five Courts of Judicature, each with a judge and four assistants; Courts of King's Bench, Chancery, and Admiralty. The inhabitants of four sorts, viz:—Freeholders, paying yearly one ear of Indian corn to His Majesty; freemen, who having served out their time are freed from their masters and serve for wages; servants, whose time is not expired; and negro slaves brought from the coast of Guinea, Cormantin, or Madagascar; 10,000 white men able to bear arms, 3,030 white male children, 8,695 white women and girls, total 21,725; negro men 10,525, boys 5,827, women and girls 16,121, total 32,473, in all 54,198. Principal towns, St. Michael's, commonly called Bridge Town, mostly built of stone with handsome streets, and Spikes (Speights) Town, 10 miles to Leeward; 11 parishes and 5 precincts; no rivers, but many springs and pools; no harbours, but several convenient bays and roads for shipping, viz., at Bridgetown, defended by four forts with 83 guns, Bistons Bay defended by 25 guns, the Hole Bay by 13 guns, Reed's Bay by 10 guns, and Spikes Bay by 25. Natural commodities:—ginger, indigo, cotton, wool, tobacco, logwood, fustick, lignum vitæ, and chiefly sugar the support of the Island; great store of Indian corn yielding two crops yearly; commodities imported; 150 ships of from 20 to 300 tons come yearly, and about 60 sloops belong to the Island. Revenue:—Customs on commodities exported to other English plantations; and 4½ per cent. on all dead commodities of the growth of the Island shipped off thence, which was granted to His Majesty 12th September 1663, in lieu of all other taxes, for maintaining His Majesty's authority, the repair of forts and public buildings, and other charges of Government. One moiety of this was granted by His Majesty to Francis Lord Willoughby for his own use in October 1662; and in 1670, it was farmed to the Hon. Robert Spencer, Sir Charles Wheler, John Stroad and George Marsh for seven years under the rent of 7,000 per annum. Opinions in religion:—The inhabitants of different persuasions; Quakers very numerous; every parish provided with a church and minister. Other islands of this Government:—St. Lucia, St. Vincent, Dominica, Grenada, Bequia, inhabited by 1,500 Indians strong in bowmen; in St. Vincent are 600 escaped negroes. Of late some French families have settled on these islands, and at Grenada they are 600 strong. The inhabitants have always been very pernicious to the English; account of their incursions and treachery from Purchas' Pilgrims, L'Histoire des Antilles, and Colonel Stapleton's letters. But never were they more notorious than during the late wars with France, when those of St. Vincent and Dominica surprised the inhabitants of Montserrat and Antigua, burnt their houses, tormented and killed the men without quarter, eating many of them, and carrying away the women and children; all which obliged Colonel Stapleton to commission Colonel Plilip Warner, Deputy Governor of Antigua, against these savages. His expedition upon Dominica and the consequences will appear in an exemplification of his trial transmitted by Sir Jonathan Atkins (*see* his letter 25th September 1676). 14 *pp.* [*Col. Entry Bk., Vol. VI.*, 1–14.]

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Feb. 4. **813.** Journal of the Lords of Trade and Plantations. Letter of Governor Leverett to the Lord Privy Seal, of 6th September 1675, read [*see ante, No.* 662]. Debate concerning New England; it proposed to consider in due time the points wherein it was necessary to have New England more in dependance on his Majesty, *e.g.* (1), in relation to the irregularity of their trade; (2), to bring them to such an acknowledgment of his Majesty's authority as to submit and leave the final determination of superior points to his Majesty, and whether the acts and laws then made should not have like approbation from his Majesty as in other plantations. Their Lordships thought it remarkable (whether the sentence were valid or no, yet) that the King's Bench in Westminster Hall in 1635 took on them to judge and determine upon the patent of New England as in the petition of Mr. Mason is at large set forth. But on the other side their Lorhships do not suppose that to consider New England so as to bring them under taxes and impositions or to send thither a Governor to raise fortune from them can be of any use or service to his Majesty. [*Col. Entry Bk., Vol. CIV., p.* 70.]

(Feb. 8.) **814.** Sir W. Jones, Attorney-General, to Lords of Trade and Plantations. In answer to their letter of 28th January [*see ante, No.* 798]. Is of opinion that bondsare to be taken, if the ship be of England, to bring the goods into England only, and in that case no duty is to be paid at the Plantations, but if the ship come from any other place than England, then the duty must be paid and a bond given to the Governor to carry the goods to some English plantation or to England. "Received 8 Feb. 1675–6, read 6 April 1676." [*Col. Entry Bks., Vol. LX., p.* 106, *and Vol. XCVII., p.* 29.]

Feb. 10. Fishmongers' Hall. **815.** Sir John Shorter, Sheriff of London, to Lords of Trade and Plantations. Transmits abstract of the fees usually paid for malefactors that are pardoned for transportation, which amount to 1*l.* 11*s.* each person. The Recorder of London says when a considerable number are transported at each time there is usually given to his clerk five pounds. [*Col. Entry Bk., Vol. XCVII., pp.* 30, 31.]

Feb. 10. Boston. **816.** R. Wharton to John Winsley. Not having heard anything of or from John Bradley or Winsley's brother Douglas, knows not how to direct any advice to either of them, but supposes both the pink and the ketch will touch at Cork for his orders, and they will there meet them or him. Should not have sent this at so great uncertainty but to let him know (if happily it may find him) that men fear a great scarcity of all provisions, but especially bread corn the ensuing year; is very desirous that if both or either vessel is with him the cargo in company may be invested into and they laden back with wheat and malt chiefly, and some oatmeal if at reasonable rates, some beef if well salted, candles, and good store of cheese. Are likely to have little leisure this year to sow, and less opportunity to reap, the Narragansetts and all the Indians they have ever heard of, except the Mohegans and Mohawks having one way or other declared themselves enemies, and the Monsieur that

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came down and returned last summer through the woods having by promise of aid and ammunition over the lakes and by ships to lie on their coast this summer animated them to an unexpected boldness; all the praying Indians, except those secured on the islands, are with the enemy. Doubts not that Mr. Medlicot or some other friend has informed him of the success of their Narraganset expedition, but, lest theirs should miss, briefly informs him that the three colonies made a force of 1,300 or 1,400 English, Governor Winslow being appointed General Commander; to these joined 200 Mohegans who on 19th December assaulted the whole body of the Narraganset and neighbouring Indians (about 3,000 fighting men) in a fort which the enemy thought invincible, and after sharp resistance and the loss of 130 men and six captains (honest Captain Davenport, Captain Gardiner of Salem, Johnson of Roxborough, and three of the other colonies), their men got possession of the fort and destroyed about 350 fighting men and as many others of all ages and both sexes, and, were our great Councillors at home as expeditious and politic to supply and command as the soldiers have been diligent and courageous to fight, the Narragansets had been utterly subdued, but they are driven hungry out of their country, their army called home and frontiers left ungarrisoned, notwithstanding notice given three weeks since of the enemies design about a week since to fall upon an out plantation to furnish themselves with corn which at the time told was done and 10 persons killed and carried away; the same spies told us that yesterday their design was to cut down Lancaster Bridge to keep all recruits and aids from thence, which also is exactly come to pass, for the bridge is cut down, and a garrison-house burned and the men killed and women and children carried away captive, in all about 45; the other garrison houses wherein till yesterday was none but the men of the town and then about 60 soldiers got to them are the soldiers and people besieged, and now they begin to think of sending relief, if a way can be found over the river, but it is feared it will be either too small or too late, and except God give greater wisdom to their rulers or put it into the King's heart to rule and relieve them, the colonies will soon be ruined and they reduced to the necessity of subjecting upon any terms to any that will protect them. Our Governor is crazy in body and many are so in their heads. He (Winslow) will make a calculation what supplies will best save them. Desires his service to be presented to Captain Breedon, and to know what has been done in his business, and to have the proceeds of the tobacco remitted. *Postcript:* Connecticut having the enemy on their backs deny us corn and we expect none from New York, so that without foreign supplies many must starve. The town of Menden is lately burned. 2 *pp.* [*Col. Papers, Vol. XXXVI., No.* 21.]

Feb. 11. Whitehall. **817.** Order of the King in Council. On the memorial of the Ambassador of the States General with reference to the capture of forts Penatscop and St. John. Ordered that copy of said memorial be sent to the Boston magistrates, who are required to return answer to the complaint; Secretary Williamson to prepare a letter

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for the King's signature accordingly. *Signed,* Robert Southwell. With seal. 1 *p.* [*Col. Papers, Vol. XXXVI., No.* 22; *also Col. Entry Bk., Vol. XCVI., p.* 46.]

Feb. 11. Whitehall. **818.** Order of the King in Council, on petition of Aaron de Sylva and Isaac Peiriera, and divers other Jews, inhabitants of "his Majesty's late colony of Surinam." That petitioners and 10 other Jews settled in Surinam, and were made free denizens by letters patent, that Mr. Cranfield, in presence of the Dutch Governor, promised to take petitioners into his care equally with other of his Majesty's subjects, whereupon petitioners disposed of their plantations and shipped 250 of their negroes, but said Governor absolutely refused to let petitioners go with the rest of their servants. Directing that copy of said petition be delivered to Mr. Secretary Williamson, who is as well to speak with the Dutch Ambassador concerning same, as to direct Sir William Temple, his Majesty's Ambassador at the Hague, to complain thereof to the States General and obtain their orders for the discharge of petitioners and their servants, that they be at liberty to go to Jamaica, where they are to be received by the Governor and to have the same measure of favour with other of his Majesty's subjects, in pursuance of his Majesty's instructions formerly given and copy of Mr. Cranfield's protest is to be annexed to said petition. *Annexed,*

818. 1. *Request* [*of Secretary Williamson*] *to Mons. Van Benningen, Dutch Ambassador, to give the necessary orders to the Governor of Surinam to let these subjects of his Majesty freely go in accordance with the 5th Article of the Treaty of Peace between his Majesty and the States General. The names of the above-mentioned Jews, besides the petitioners, are Jacob, David, and Benjamin Peiriera, Isaac de Pradoe, Isaac de la Paxa, Isaac Govia, Gabriel Antonius, and Moses Baruk. Whitehall,* 1676, *23rd February. French. Together,* 2 *pp.* [*Col. Papers, Vol. XXXVI., No.* 23, *and Col. Entry Bk., Vol. XCVI., pp.* 47, 48.]

Feb. 11. (Recd.) **819.** Petition of the Merchants and Owners of the ship Virgin, Edmund Cook, master, taken by the Spaniards in the West Indies, to the King and Privy Council. Being referred by the Lords of Trade and Plantations to Secretary L. Jenkins to report his opinion what ought to be done, he did so about four months since, but petitioners cannot obtain a copy. Pray his Majesty to order that copy of said report be forthwith delivered to petitioners, and a speedy day for the hearing in Council be assigned. *Endorsed,* "Rec. 11 Feb. 1676, Read 16th and 18th February." 1 *p.* [*Col. Papers, Vol. XXXVI., No.* 24.]

Feb. 17. St. Jago de la Vega. **820.** Journal of the Council of Jamaica. Present: Lieutenant-General Sir Henry Morgan, Colonels Thomas Freeman, Charles Whitfield, Anthony Collier, and Thomas Ballard, Lieutenant-Colonels William Beeston, Samuel Barry, Ralph Whitfield, and Samuel

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Long, Majors John Colebeck, Theo. Cary, Whitgift Aylmore, and William Parker. Ordered that the Articles of War be proclaimed and copies distributed to the several Colonels. His Excellency communicated the care he had taken for reducing the rebellious negroes, and all were of opinion that nothing further could be done, those in pay to still keep moving after them, that the guards at Captain Bourdens and Lieutenant Hysom Crawle be continued, and the small plantations be strengthened, and that the Governor issue his proclamation for all to act vigorously; some hunters who had offered their services in pursuing and subdueing the negroes ordered that they be encouraged and furnished with all things necessary at the public charge. That the several Colonels forthwith hold regimental courts-martial, and publish the Articles of War that all persons be duly listed and well armed, exact lists taken, and how many white men in each plantation. Orders to be observed in case of an alarm. Articles and rules of war set forth by Governor Lord Vaughan, under the headings: Duties to his Majesty's authority and government; Duties towards superior officers; Duties in marching and in action; Duties in camp and in garrison; Rules for regulation of musters; Administration of justice. [*Col. Entry Bk., Vol. XXXV., pp.* 453–471.]

Feb. 18. Whitehall. **821.** The King to the Governor and Council of Massachusetts. Requires them to return speedy answer to the complaint of the Ambassador of the States General. *Encloses,*

821. I. The memorial to the King referred to above. That Juraien Aerents, Captain of the ship Post-horse, of Curaçoa, left Curaçoa with a commission from the Governor, and having made himself master of the forts Penatscop and St. Jan, belonging to the French, and situated on the river Pentagould, in North America in New France, and having left there some men for defence and traffic, the English at Boston attacked the garrison, made them prisoners, and raised the fortification, on no other consideration but that they would not endure any Dutch there. This being an open violation of the Treaty of Peace, the King is asked to procure the exemplary punishment of the guilty, and to send orders for the prompt release of the prisoners and restoration of the forts. *Signed by* Van Benningen, dated Windsor, 1675, 26 July/5 Aug. 2 *pp.* [*Col. Papers, Vol. XXXVI., Nos.* 25, 25 I.; *also Col. Entry Bk., Vol. XCIII., p.* 147 *b.*]

Feb. 20. Jamaica. **822.** Governor Lord Vaughan to Sir Robert Southwell. Sent about a fortnight since by Captain Swan a letter to the Lords, with a particular account of the island and government, also duplicates by Captain Broad who sailed in company. Arrival of Captain Knapman of the Foresight four days since who has orders to return. Necessity of a frigate here to supply the Foresight's place, and contribute to the safety and reputation of the island,

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otherwise it will be impossible that his Majesty's treaties be observed, piracies repressed, and the Acts of Trade and Navigation put in execution. Begs him hasten the perusal and confirmation of their laws. Has had some trouble with rebellious negroes on the north side, eight or nine have been taken and executed, and the rest not heard of this fortnight, so hopes they are wholly reduced or dispersed. "Rec. 27 April 1676 by Capt. Webber." 1 *p.* [*Col. Papers, Vol. XXXVI., No.* 26.]

Feb. 20. Jamaica. **823.** Peter Beckford to Secretary Sir Jos. Williamson. Has just received his of the 6th December. It is truly his misfortune, and not his fault, that he seems worthy of reproach for any negligence; has never omitted giving his Honour an account of passages here, but fears his letters by Captain Taylor of the Port Morant aud Captain Alford of the Employment have miscarried. There is some difference between Lord Vaughan and Sir Henry Morgan, but cannot judge whose fault. Testifies to his Lordship's having "hitherto behaved himself so well" that no one can lay the least just blame on him; his Lordship now removing from Spanish Town to Port Royal. Supposes he may the better hinder the privateers from going out and hinder them from taking French commissions against the Spaniards. Advice that the latter have sprung a silver mine at Panama that produces beyond expectation. "Per the Dragon, Captain Webber." 1 *p., with seal.* [*Col. Papers, Vol. XXXVI., No.* 27.]

Feb. 22. **824.** Journal of the Council of Barbadoes. Present: Sir Jonathan Atkins, John Willoughby, Henry Drax, Henry Hawley, Samuel Farmer, John Sparke, Samuel Newton, Thomas Wardall, John Peers, Simon Lambert, and John Stanfast. Ordered that writs be issued for election of an assembly to meet 21st March. That a supplemental Act to the Act for the better ordering and governing of negroes should not pass without amendment; referred to a Committee of the Council to prepare such amendments and additions as they judge proper to be considered at next Council. [*Col. Entry Bk., Vol. XI., p.* 290.]

Feb. 23. Whitehall. **825.** Order of the King in Council. On petition of Aaron de Silva and Isaac Periera and other Jews, inhabitants of Surinam. That, by the 5th Article of the late peace with Holland, petitioners became his Majesty's subjects, and therefore have leave to go with their goods and servants to any of his Majesty's plantations, but are obstructed by the Governor. Pray in regard they lost their opportunity of passage for Jamaica that his Majesty will grant them relief. Ordered that petitioners shall have liberty to transport themselves with their goods and servants to Jamaica in any foreign built ship, and Governor Lord Vaughan shall receive them with equal favour as if they had arrived in English built ships, and deliver their servants carried thither by Mr. Cranfield, and set them out proportions of land according to his Majesty's instructions. [*Col. Entry Bk., Vol. XCVI., pp.* 48–49.]

Feb. 23. **826.** Order of the King in Council on petition of John Moor, late owner of the yacht Prudence. That in June 1674 he sailed

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from Barbadoes to Antigua, and thence to Montserrat to unlade, where he was detained by the Governor's warrant on false pretences and his vessel carried away while he applied for redress; prays for relief. Ordered that copy of this petition be delivered to Edward Stapleton, the said Governor, who is required to return his answer with all convenient speed when his Majesty will declare his further pleasure. [*Col. Entry Bk., Vol. XCVI., p.* 49.]

Feb. 23. **827.** Lords of Trade and Plantations to Sir Jonathan Atkins, Governor of Barbadoes. It hath been represented to his Majesty in Council by petition of Francis Standish that one, John Luntly, in July last was enticed on board a ship commanded by Captain Bolton, carried to Barbadoes, and there sold to Captain Thornhill. That Luntly's mother has since died and left him a competent estate, wherefore praying his Majesty to order Colonel Thornhill to receive back the price he paid for Luntly and permit him to return home. His Majesty, in consideration of the services of Luntly's father, and much disapproving the manner of his conveyance, commands the Lords to transmit copy of said petition that if the allegations be found true to persuade Colonel Thornhill to discharge his servant Luntly on receipt of what he paid for him so that he may return home as his friends desire. [*Col. Entry Bk., Vol. XCVI, pp.* 49, 50.]

[Feb. 23.] **828.** Order of the King in Council. His Majesty having thought fit to order in Council that Colonel Philip Warner, late Deputy Governor of Antigua, should be transported in the Phœnix frigate to Barbadoes, there to be tried by a commission of oyer and terminer for killing certain Indians in Dominica, said Commission being directed to persons in the Leeward Isles and Barbadoes (*see ante, No.* 705). Ordered that Secretary Coventry prepare a letter for the King's signature directing Governor Atkins to allow three months from the landing of Colonel Warner for the coming of said Commissioners from the Leeward Isles, but if they shall sooner appear then the Commission to be forthwith proceeded in and the Commander of the Phœnix to deliver the body of Colonel Warner into the hands of Governor Atkins. [*Col. Entry Bk., Vol. XCVI., pp.* 50, 51.]

Feb. 29. Westminster. **829.** Warrant to the Lord Treasurer and others of the Exchequer. To pay to Colonel Stapleton or his assigns the sum of 4,556*l.* 14*s.*, being the pay of two foot companies in the Leeward Isles for two years, from 7th July 1672 to 7th July 1674, and also hereafter, from time to time, to pay the sum of 2,778*l.* 10*s.* 8*d.* per annum for said service. 2½ *pp.* [*Col. Papers, Vol. XXXVI., No.* 28.]

March 1. Whitehall. **830.** Order of the King in Council. That one of his Majesty's Principal Secretaries of State forthwith prepare an effectual letter for the King's signature to the Governor of Barbadoes transmitting copies of petition of the Royal African Company and a narrative from their agent in Barbadoes, strictly requiring him inviolably to

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observe and maintain the privileges granted to said Company by Charter, as he will answer the neglect at his peril. *See the King's letter, 10th March* 1676, *No.* 841. [*Col. Entry Bks., Vol. I., pp.* 29–31, *and Vol. XCVI., pp* 51–53.]

March 3. Whitehall. **831.** Order of the King in Council. The answer of Edmund Stapleton, Governor of Montserrat, to the petition of Richard [? John, *see No.* 826] Moor, late owner of the Prudence, declared satisfactory. [*Col. Entry Bk., Vol. XCVI., p.* 54.]

6 March. St. James's, **832.** Sir John Werden to Major Andros. Recommends Mr. Delavall who is going to New York in hopes to recover by degrees part of that good fortune which the late public disaster deprived him of. ½ *p.* [*Col. Entry Bk., Vol. LXX., p.* 22.]

833. The King to Sir William Berkeley, Governor of Virginia, or in his absence to the Regent Councillor or Council there. Understanding that Richard Lee, a planter of and formerly resident of Virginia and of the Council there, is now going over to improve his plantation, the King requires the Governor to admit and swear said Richard Lee to be of the Council and in the Commission of oyer and terminer, and to such place and precedence in the Council as he formerly had. 1 *p.* [*Col. Papers, Vol. XXXVI., No.* 29.]

6 March. Whitehall. **834.** Journal of the Lords of Trade and Plantations. Mr. Secretary Coventry desiring to be informed about the steps and progress made in a patent intended to be passed about Virginia, Sir Robert Southwell gave him a large account; that Colonel Moryson and the agents petitioned his Majesty in Council, 23rd June 1675 (*see ante, No.* 602), to be enabled by a charter of incorporation to purchase out the Earl of St. Albans, Lord Culpeper, &c., and have certain privileges. This was referred to the Attorney and Solicitor General, who reported on 12th Oct. (*see ante, No.* 696), which was approved and reported on by the Committee of Trade to the Privy Council on 19th Oct. (*see ante, No.* 697), who on 1st Nov. order copies of all for Mr. Secretary Williamson's perusal who had not been present before [*see ante, No.* 701], and on 19th Nov. the report was made to his Majesty in full Council and approved. [*Col. Entry Bk., Vol. CIV., p.* 83.]

7 March. Spring Garden. **835.** [Sir Robert Southwell to Secretary Coventry.] Has made inquiry into the Virginia patent, and reports the progress in that business. 1. Petition presented by the agents of Virginia to the King in Council on 23rd June 1675. 2. Report of the Attorney and Solicitor General on 12th Oct. following. Meeting of the Lords of the Committee on the 19th Oct. and 1st Nov. (*see ante, No.* 697 I.), and their report on 19th Nov. to his Majesty in Council. "But whether after all the patent be yet actually passed I am not able to say." *Draft with corrections.* 3 *pp.* [*Col. Papers, Vol. XXXVI., No.* 30.]

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[Virginia.]

836. Seven Acts passed at a Grand Assembly begun and holden at James City, 20th Sept. 1671, viz.:—1. An Act prohibiting millers taking more than one-eighth part of English grain toll for grinding thereof. 2. Permitting the exportation of wool, hides, and iron (*obsolete*). 3. For moderating the rates of liquors. 4. Providing how negroes belonging to orphans shall be disposed of. 5. Repealing the Act making it death for Indians coming into Henrico county (*repealed*). 6. Concerning sheriffs' fees for arrests. 7. An Act of naturalization (*private Act*).

1672. Ten Acts passed at a Grand Assembly begun and holden at James City, 24th Sept. 1672. *See titles in previous volume of this Calendar, No.* 932. *Also* An Act for naturalization of Joseph Moulder, and *private Act.*

1673. Seven Acts passed at a Grand Assembly begun and holden at James City, 20th Oct. 1673, the titles of which are as follows, viz.:—1. An Act for establishing the dowers of widows. 2. Providing for the supply of arms and ammunition (*expired*). 3. For the better putting in execution the Act for processions. 4. For the advancement of the manufacture of flax and hemp (*repealed*). 5. Concerning tradesmen and other artificers to pay levies (*needless*). 6. Permitting the counties of the Isle of Wight and Lower Norfolk to erect each of them a fort (*private Act*). 7. For the naturalization of John Peterson (*private Act*).

1674. Ten Acts passed at a Grand Assembly begun and holden at James City, 21 Sept. 1674, the titles of which are as follows, viz.:—1, An Act for an address and supplication to be made to the King's most excellent Majesty (*repealed*). 2. For the continuance of 200*l.* sterling per annum over and above the 1,000*l.* sterling per annum to Sir William Berkeley, Knt., Governor (*expired*). 3. Ascertaining allowance for evidence summoned to the General Court. 4. Prohibiting the justices of the several county courts from levying tobaccos upon the people for their accommodation and expenses whilst they are keeping court (*obsolete*). 5. Empowering Mr. Secretary Ludwell, as Notary Public, to appoint deputies (*obsolete*). 6. Commanding such Indians who keep hogs to mark the same. 7. Empowering *femmes couvertes* to make good acknowledgments of sales of land. 8. Ascertaining the bounds of the counties of the Isle of Wight and Nancemond (*private*). 9. For settling the lands of the Green Spring in Sir William Berkeley, his heirs and assigns (*private*). 10. For settling the lands conveyed from Sir William Berkeley and Dame Francis his wife in Colonel William Cole, his heirs and assigns (*private*).

1676. Four Acts passed at a Grand Assembly holden at James City by prorogation, from 21st Sept. 1674 to 7th March 1676. Titles as follow, viz.:—1. An Act for the safeguard and defence of the country against the Indians (*expired*). 2. Prohibiting trade with the Indians (*repealed*). 3. Prohibiting the exportation of corn. (*expired*). 4. For the naturalization of Christian Peterson (*private*). [*Col. Entry Bk., Vol. LXXXVIII., pp.* 80–90; *also Vols. LXXXIX., XC., XCI. Printed.*]

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9 March. **837.** Secretary Williamson to Lord Vaughan, Governor of Jamaica. Received yesterday his of 8th Dec., with paper of accusations against Captain Davyes. Is very sorry for the "ill name our fellow servant Mr. Cranfield has left behind him there. I wish we may find cause to restore him here to any part of it. I foresee some matters will not fall out well in the account he is to give us." Thanks for his consideration of Mr. Beckford. Repeats a like suit of recommendation for the bearer Mr. Beale, son of Dr. Beale, a worthy and learned man of the clergy, and a member of very good note in our Gresham College society. The son comes to seek his fortune; hopes his Lordship will find him deserving the countenance and protection asked for. [*Col. Entry Bk., Vol. XCIII., pp.* 148–149.]

March 10. Whitehall. **838.** The King to the Governor and Magistrates "of our town of Boston in New England." Has for a long time been solicited by Robert Mason and Ferdinando Gorges to interpose for their redress [*altered to* relief] in the matter of their claims and pretended right to the provinces of New Hampshire and Maine, out of the possession of which they allege they are kept by the violence and strong hand of the people of Boston and others of the Massachussetts Colony. Said petitioners have presented a long deduction of all proceedings in proof of their demands as of the hardships they have undergone, and upon debate of these matters before the King in Council his Majesty thinks it high time to afford a solemn hearing to the complaint, and to see that justice be equally administered to all. Has therefore directed that copies of two petitions be transmitted herewith that they may show cause why his Majesty should not afford petitioners relief. They are therefore commanded to send over agents within six months fully instructed and empowered to answer for them to the end they may receive his royal determination. [*Added in a different hand:* "This was added to the former part prepared by the Committee, by Mr. Secretary Coventry, pursuant to his Majesty's commands."] His Majesty commands that this letter and the petitions be read in full Council, and that the bearer, Edward Randolph, be admitted to the Council and hear same read and bring back their answer, or render an account of their proceedings in the matter. [*Col. Papers, Vol. XXXVI., No.* 31.]

March 10. **839.** Copies of preceding letter. [*Col. Entry Bks., Vol. LX., pp.* 82–84, *and Vol. CX., pp.* 82, 83.]

March 10. **840.** Order of the King in Council. Contrary to the laws of this kingdom and his Majesty's express commands, a ship laden with tobacco from New England has lately been brought into Jersey, "which contempt his Majesty being resolved shall not pass unpunished," ordered that the Commissioners of Customs immediately send over officers to take account of cargo of said ship and bring both ship and lading to this kingdom to be proceeded against according to law. *Annexed,*

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840. I. Lords of Trade and Plantations to Governor of Jersey. To secure the above-mentioned ship. 1676, March 10.

840. II. Same to Governor of Guernsey. To secure ships trading from the Plantations to Guernsey contrary to the Acts of Parliament. [*Col. Entry Bk., Vol. XCVI., pp.* 57–59.]

March 10. **841.** The King to Sir Jonathan Atkins, Governor of Barbadoes, St. Lucia, &c. Has formerly taken notice that ships have been sent to trade upon the coast of Africa where the Royal African Company have the sole right of traffic, and issued his Royal Proclamation for prevention thereof [*see previous volume of this Calendar, 25th Nov.* 1674, *p.* 626, *No.* 1393], by which means his Majesty thought he had well provided against what would occasion the loss of the whole trade of those countries. But said Company has informed the King by petition that several ships have lately arrived at Barbadoes with negroes and other goods from Africa, and others are on said coast all set out by private traders. That said African Company's agents seizing about eighty negroes, part of one hundred and fifty so imported into Barbadoes, the same were violently taken away from them, and the agents and their assistants beaten and wounded, who, complaining to the Governor, had no other redress except that the assaulters were bound over in recognizances of 40*l.*, with sureties of 20*l.* apiece, to appear at the next sessions, and to keep the peace, as appears by the narrative herewith sent, together with copy of said African Company's petition. His Majesty cannot but justly resent the aforesaid contempts of his proclamation, and the more that the observance thereof was recommended by letters of the Privy Council to the Governors of the several plantations, dated 2nd November 1674. Considering how much such proceedings tend to the hindrance of trade in those parts, and that it will be impossible for said Company to maintain their forts and factories if such practices be not speedily prevented, his Majesty has thought fit, with advice of his Council, to let the Governor know that he is very much "unsatisfied" with him for taking so insignificant a recognizance in the case of so high an offence, and strictly commands that hereafter no such prevarications be suffered, but that the Governor see that the privileges of the African Company be punctually observed according to the King's proclamation, and hereafter to proceed with the utmost severity against all offenders, and if any oppose the agents of said Company in the execution of their duty, or any ways obstruct justice, to send over their names that they may undergo the effects of the King's displeasure according to the measure of their demerits. *Countersigned by* Secretary Coventry. *Annexed,*

841. I. The Petition of the Royal African Company to the King above referred to.

841. II. The narrative of the Royal African Company referred to in above letter. 1675, November 26, and 1675, December 10. [*Col. Entry Bk., Vol. I., pp.* 32–42, *and Vol. CX., pp.* 83–85, *and* 89–92.]

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March 15. **842.** "Memorial concerning Edward Randolph." He desires instructions, and that the master of the ship in which he goes should have order to deliver the letter in case of mortality or other accident that might disable Randolph from delivering it himself. If he comes safely thither and deliver it, he desires to know whether a time shall be limited for his stay there to expect their answer, and if so, what time. The master's name is John Smith, Commander of the ship Welcome. "Rec. from Mr. Cooke by order of Mr. Sec. Coventry, 15th March 1675–6." 1 *p.* [*Col. Papers, Vol. XXXVI., No.* 32.]

March 16. Southampton. **843.** Thomas Cole to the Commissioners of Customs. Acknowledges letter of 14th instant, with enclosed despatches from the King, Council, and the Commissioners, touching the ship at Jersey with tobacco from New England. Reminds them that he begged the order might be directed to the Bailiff and Jurats of the Island as well as to the Governor, for that otherwise the officers might be baffled as formerly. Is confident since probably the magistrates themselves are concerned that unless the orders are directed to the Bailiffs, the officers will not be permitted to bring away the ship till new orders are sent. Proposes, since "the wind is now out the way," these considerations as a most certain way of effecting the King's commands at once. If it were inserted that they should assist the officers in searching after goods embezzled out of the ship, it would quicken their dispatch. Would have wished that the directions had been positive that the ships and goods should be seized by their officers, as most agreeable with the Navigation Act, Jersey being neither in Asia, Africa, or America, but hopes there will be no dispute with Sir Thomas Morgan's deputy. Hopes the wind will continue contrary till Sunday night, but if it should come fair before, will send forward his brother and Mr. Pantin with the despatches. *Postscript:* Has advised them that one Brock, of Jersey, had imported 3 hhds. of tobacco from New England with other goods, which were landed in France; conceives it not improper to direct seizure. 2 *pp.* [*Col. Papers, Vol. XXXVI. No.* 33.]

March 20. **844.** The King to the Governor and Magistrates of Boston, New England. Duplicate of the letter of 10th March [*see ante, No.* 838] with this preamble added. We sent our letters dated 10th of this month by Edward Randolph, upon a complaint of Mason and Gorges, but in case Randolph should miscarry, or be incapacitated, we have thought fit to send duplicate by John Smith, master of the Welcome, who will deliver same if Randolph shall not be able to do it himself. [*Col. Entry Bk., Vol. CX., p.* 85.]

March 20. Whitehall. **845.** The King's instructions to John Smith, master of the Welcome bound for Boston. To transport on board his vessel Edward Randolph to New England, but in case he be incapacitated to deliver the duplicates of the King's letters to the Governor and Magistrates of Boston. To press them to assemble a full Council with all speed to which he shall demand admittance, and so be able to render an account of their proceedings. To call for an answer

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to the King's letters within a month after their delivery, which he is to bring back with all convenient speed. If opportunity of writing offer, to give account of his proceedings to one of the Secretaries of State. [*Col. Entry Bk., Vol. CX., p.* 86.]

March 20. **846.** Secretary Sir Joseph Williamson to Governor Leverett. Is extremely sorry to hear by his letter of 18th December the public calamities fallen upon those countries in the hostilities exercised upon them by the Indians. His Majesty is much concerned, and the rather that it looks like a general conspiracy and contrivance between those natives of his neighbourhood and those others in the more distant parts of that continent. Will be most ready in his little sphere to serve the interests and concerns of those countries; begs he may have frequent accounts of all that passes. 1 *p.* [*Dom. Entry Bk., Vol. XLIII., p.* 83.]

March 20. **847.** Minutes of the Lords of Trade and Plantations. Mr. Mason, Mr. Randolph, and Mr. Smith, master of the Welcome bound for New England, called in, and the master told by Mr. Secretary Coventry, that in case Mr. Randolph fell ill by the way and should miscarry that the master should receive his Majesty's letter and present it to the magistrates at Boston, which the master promised he would take care of and that he was to return directly to London. *Mem.*—That Mr. Secretary Coventry prepare instructions for Randolph, whereof he gave his Majesty an account who came soon afterwards into the Council Chamber and approved it as given in Council. *Annexed,*

847. I. The King's Instructions to Edward Randolph. Having delivered the letter to press the Governor and Magistrates of Boston to assemble a full Council with all possible speed, and when they meet to demand admittance to it in the King's name, that he may be present at the reading of the letters and so be able to give an account that they were read in full and public Council. Is then to demand an answer from the Governor and Magistrates within a month, which he is to bring back with all convenient speed. If opportunity of writing offers before his return, is to give an account of his proceedings to one of the Secretaries of State. *Countersigned by* Sir H. Coventry. *Minute.*—Their Lordships (of the Committee) were pleased at same time to approve a certain paper of inquiries, and directed Secretary Coventry to give them to Randolph for his better observation. Then follow List of Inquiries and an Abstract of New England [*see No.* 849]. [*Col. Entry Bk., No. LX., pp.* 100–105.]

March 20. **848.** Journal of the Lords of Trade and Plantations. Copy of preceding minutes with the following addition. Their Lordships entered into long debate whether this particular time were proper for the sending of circular letters into New England, Sir R. Southwell having drawn forth a scheme of all heads of enquiry, which hath been sent to other places, and others which seem more peculiar to New England, but their Lordships do put off the consideration

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of this affair to a further time, as vide 4th February [*see ante, No.* 813], but they do agree this is the conjuncture to do something effectual for the better regulation of that Government, or else all hopes of it may be hereafter lost. [*Col. Entry Bk., Vol. CIV., pp.* 92, 93.]

March 20. **849.** Inquiries given to Edward Randolph. To inform himself on the following points: (1), where the legislative and executive powers of New England are sealed; (2), what laws are in force derogatory to the laws of England and the oath prescribed by the Government; (3), number of Church Members, Freemen, Inhabitants, Planters, Servants or Slaves, what Professions and Estates, number of men able to bear arms; (4), number of horse and foot, whether trained bands or standing forces, what experienced officers; (5) castles and forts with their situation, and their stores and provisions; (6), reputed boundaries; (7), correspondence with the French on the N. and New York on the S.; (8), causes of the Indian war, advantages and disadvantages of it, probable event thereof; (9), commodities and imports, observation of the Trade and Navigation Acts, number and burden of ships trading thither yearly, where built; (10), taxes, fines, rates, duties on exports or imports, public revenue, how collected; (11), disposition towards the Government of England, what persons in the magistracy are popular or like to be so at the next election; (12), state of ecclesiastical Government, how the Universities are filled and by whom governed. These enquiries to be made of all the Provinces, but particularly of the "Mattachusets"; a particular information will be requisite concerning the town of Boston, how built, fortified, inhabited, governed, &c.; an exact map of the whole country and town of Boston, if it can be procured, will be of great use. Appended is an abstract of an estimate made by those that are curious, that Mr. Randolph may either confirm or disprove the truth thereof:—120,000 souls, 13,000 families, 16,000 that can bear arms, 12 ships of 100–220 tons, 190 of 20–100, 440 fisherboats of about 6 tons, 5 ironworks which cast no guns, 15 merchants worth about 50,000*l.* or about 5,000*l.* one with another, 500 worth 3,000*l.*; no house in New England with more than 20 rooms, not 20 in Boston with more than 10, about 1,500 families in Boston; the worst cottages in New England are lofted; no beggars; not 3 put to death for theft; about 35 rivers and harbours, 23 islands and fishing-places. Boston, Maine, and Hampshire three-quarters of the whole in wealth and strength, the other four provinces of Plymouth, "Kenecticut," Rhode Island and "Kinnebeck," being but one quarter of the whole. Not above 3 of their military men have been actual soldiers, but many are such soldiers as the artillery men in London. Amongst their magistrates, Leveret the Governor, Major Dennison, Major Clark and Mr. Broadstreet are the most popular, and amongst the ministers Mr. Thatcher, Mr. Oxenbridge, and Mr. Higgenson. There are no musicians by trade; one dancing-school was set up, but put down; a fencing-school is allowed; all cordage, sail-cloth, and nets come from England; no cloth made there above 4*s.* per yard, nor linen of above 2*s.* 6*d.*, no alum, copperas, or salt by the sun; they take an oath of fidelity to

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the Government, but none to the King; the Governor is chosen by every freeman; a freeman must be orthodox, above 20 years old, worth about 200*l.* Endorsed, "20 March, 167$\frac{5}{6}$. Points of enquiry given to Mr. Randolph by order of the Lords of the Committee at his departure for Boston." 3 *pp.* [*Col. Papers, Vol. XXXVI., No.* 34, *and Col. Entry Bk., Vol. LX, pp.* 100–105.]

Mar. 21–22. **850.** Journal of the Council of Barbadoes. Present [*see ante, No.* 824] also Sir Peter Colleton and Samuel Walrond. Names of the members elected by virtue of the new writs, presented [*see following abstract*]. Resolved that the return of Sir Peter Colleton be carried in the negative.

March 22. Ordered that the return made by Sir Peter Colleton of the writ for Assemblymen for St. John's be sent to the Assembly for consideration. The Speaker attended and said they had admitted Colonel Christopher Codrington instead of Thomas Colleton for the other Assemblyman with Henry Walrond for the parish of St. John's. [*Col. Entry Bk., Vol. XI., pp.* 291, 292.]

Mar. 21–22. **851.** Journal of the Assembly of Barbadoes. The returns according to election for the several parishes as they were presented by his Excellency (the Governor) to the Assembly, as follows:—

1. St. Peter's.—Sir William Yeamans, Bart.; Major John Steart. Returned by Colonel Richard Baily.
2. St. Thomas'.—Lieutenant-Colonel James Carter; John Davies. Returned by Honourable Samuel Farmer.
3. St. John's.—Henry Walrond, junior. Returned by Sir Peter Colleton, Bart.
4. Christchurch.—Nat. Kingsland; Richard Seawell. Returned by Honourable Colonel Samuel Newton.
5. St. Lucy's.—John Maddock; Captain Thomas Bowden. Returned by Honourable Colonel Simon Lambert.
6. St. Jamse's.—Edward Littleton; James Walwyn. Returned by Honourable Colonel John Stanfast.
7. St. Michael's.—Colonel William Bate; Colonel Richard Guy. Returned by Honourable Colonel Henry Hawley.
8. St. Phillipp's.—Sir Alexander Walrond, knight; John Wilham. Returned by Honourable Henry Walrond.
9. St Andrew's.—Thomas Lake; Captain John Gibb. Returned by Honourable John Sparke.
10. St. George's.—Captain Rowl. Bulkeley; Benjamin Middleton. Returned by Honourable John Willoughby.
11. St. Joseph's.—William Sharp; Edward Benny. Returned by Honourable Thomas Wardall.

Being met at the house of Paul Gwynn in St. Michael's Town, proceeded to the choice of a speaker, and every member gave in a paper with a name and William Sharp being chosen took the chair. Election of John Higinbotham, clerk, and Joseph Withers, marshal. On perusal of the return of representations sent to them from his Excellency, find there hath not been a full return of the parish of St. John, it being doubtful between Colonel Christopher Codrington

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and Colonel Thomas Colleton, which was referred to this assembly by his Excellency, but being invited to dine with him and the day far spent they appointed the hearing to-morrow. Adjourned about 3 o'clock until 8 o'clock to-morrow morning.

March 22. Colonels Codrington and Colleton appeared to make good their objections against each other in relation to the votes. The House after full examination and debate of the matter declare Colonel Christopher Codrington duly and legally elected. Finding the Act empowering the Committee of Public Accounts to be expired, ordered that a Bill be drawn empowering Commissioners to collect outstanding arrears which was passed. The clerk and marshal of the assembly sworn; their oaths. Paper of proposals presented yesterday by his Excellency for the consideration of the assembly. The Act for regulating negroes. For securing the boats and reasons against the present Act. To consider whether the present actings of the Quakers which may be of very dangerous consequence are to be reformed by law, in relation to their admitting negroes to their meetings under pretence of converting them to the Christian religion. For satisfaction of those whose negroes were put to death on the late rebellion. Collection of taxes. For account of the last tax levied. Estimate of the country's debts. Inspection by a committee into former Acts for regulation of the laws as well as Courts of Justice. Offensive and defensive preparations for their security. As to the pious donations to most of the parishes of this island to appoint commissioners to call to account the churchwardens, overseers, and trustees of every parish. The great want of a prison and the necessary repair of the town bridge. The presentments of the last grand jury. Objections of two freeholders of St. Phillip's to the return of Sir Alexander Walrond being under the age of 21 years; time granted for proof. Rules passed for governing the Assembly in their votes, debates, and other proceedings in 22 articles. Letters communicated from the gentlemen planters in England and Colonel Edward Thornburgh. Adjourned to Tuesday next come three weeks. [*April* 18, *see No.* 890.] [*Col. Entry Bk., Vol. XIII., pp.* 202–214.]

March 25. Tower. **852.** Colonel Phillip Warner to (Sir Robert Southwell). From the assurance of his friendship and charity is bold to beg his further favour. Understands that about a month since the King in Council ordered that Warner should go to Barbadoes a prisoner, the place appointed for his trial, in the Phoenix, and that three months were given for the Commissioners from Barbadoes and the Leeward Isles to meet in order to his trial. This was very pleasing news to him not doubting to be cleared "from that most false accusation sent home against me." Is told said ship is ready and apprehends he is forgotten and shall be left to perish in prison unless Sir Robert will stand his friend and move his desires to he King before his Majesty leaves town for six weeks, during which time the ship may be gone and he left behind. Begs for God's sake for charity's sake, and as he tenders the suffering of an innocent gentleman to befriend him in this matter, that the captain may have orders to receive and Sir John Robinson orders to ship him with his servants necessary

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to attend him, and he will be ever bound to pray for Sir Robert's prosperity, and during life will study and grasp at all occasions to manifest himself his most obliged and most humble servant. 1 *p.* [*Col Papers, Vol. XXXVI., No.* 35.]

March 27. **853.** The King to Lord Vaughan, Governor of Jamaica. Authorising him to swear and admit Colonel Samuel Long, a Councillor, as recommended by the Governor to be a person very well qualified to discharge that duty. [*Col. Entry Bk., Vol. XCV., p.* 107.]

March 28. **854.** The King to the Governor of Barbadoes. Has thought fit by advice of Council to order Colonel Philip Warner, late Deputy Governor of Antigua, to be transported to Barbadoes, there to be tried for killing certain Indians on Dominica, the Commission being directed to certain persons in the Leeward Islands and Barbadoes. At the request of Colonel Warner, his Majesty requires the Governor to allow three months from the day the Governor receives said Warner into his care for the coming up of the Commissioners from the Leeward Isles, unless a sufficient number should sooner appear, in which case said Commission is forthwith to be proceeded upon. [*Col. Entry Bk., Vol. CX., p.* 88.]

March 28. **855.** Warrant to James Earl of Northampton, Constable of the Tower. To deliver Colonel Philip Warner now prisoner into the custody of Captain Laurence Wright to be by him conveyed on board H.M.S. Phœnix in the Thames and conveyed to Barbadoes. [*Col. Entry Bk., Vol. CX., p.* 87.]

March 28. Whitehall. **856.** Secretary Sir H. Coventry to Captain Wright. To take on board one servant who the King has consented to allow to attend upon Colonel Philip Warner on his voyage to Barbadoes. [*Col. Entry Bk., Vol. CX., p.* 88.]

March 29. **857.** Warrant to Captain Laurence Wright, Commander of H.M.S. Phœnix. To receive Colonel Philip Warner and transport him to Barbadoes and there deliver him to the Governor to be disposed of according to said Governor's order. [*Col. Entry Bk., Vol. CX., p.* 87.]

April 1. [Virginia.] **858.** Governor Sir William Berkeley to [Secretary Sir Joseph Williamson]. Has received his letter concerning the peaceable admission of Dutch ships. All English planters on the main covet more land than they are safely able to hold from those they have dispossessed of it. This was the cause of the New England troubles, the Indians complaining that strangers had left them no land to support and preserve their wives and children from famine. Account of the progress of the disputes with the Indians, and the ravages they have committed. The English have seldom had the better of them, and have often lost whole parties that have been sent out against them. The New England men will not recover their wealth and towns they have lost these twenty coming years. Murders committed by the Susquehannahs in Maryland and parts adjoining. We have now such a strength on the frontiers of all

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our plantations that we cannot fear them if they were ten times more in number than they are, if we can get our merchants to trust us with some considerable quantity of powder and ammunition. *Endorsed by Williamson:* "Rec., June." 3½ *pp.* [*Col. Papers, Vol. XXXVI., No.* 36.]

April 1. [Virginia.] **859.** Governor Sir William Berkeley to [Thomas] Ludwell. Divers would persuade the people that all their high taxes will bring them no benefit. Appeased two mutinies last year, raised by some secret villains. This year the fifty pound levy (of tobacco?) has been cheerfully paid by everyone, though the necessity of a new tax is laid upon them, for the Indians have combined against them in all the northern parts of America. They have destroyed divers towns in New England, killed more than a thousand fighting men, seldom were worsted in any encounter, and have made the New England men desert about a hundred miles of ground they had divers years seated and built towns on. Does not expect to hear very good news, for they either have not or pretend not to have money to pay their soldiers. But, whatever the success be, they will not recover these next twenty years what they have lost. Now they are in such want of provisions that they have sent to Virginia to buy great quantities of all sorts, so has been forced to promulgate a severe law that no more provisions be exported from hence. This is not half the New England men's misery, for they lost all their beaver trade, half their fishing, and have nothing to carry to Barbadoes, for, with the commodities from thence, they were wont to carry away our tobacco and other provisions. Add to this the new tax of 1*d.* per lb., which my officers rigorously exact of them. If this war lasts a year longer, they in New England will be the poorest miserablest people of all the English Plantations in America. "Indeed, I should pity them, had they deserved it of the King or his blessed father." Now what has passed with us. The Susquehannahs last year killed two or three of our men in Patowmac, and as many in Maryland. Joined forces with the Marylanders and took their fort, since when that barbarous nation have killed about 36 men, women, and children on Rappahannock river, and two men at Mr. Bird's house. To prevent more mischief, the Assembly has ordered that five hundred men be immediately raised to defend the heads of all the rivers. Since Ludwell's departure, Digges, Bennet, Cockin, and Colonel Aug. Warner are dead; Colonel Willis gone for England, Major-General Wood kept to his house through infirmity, and Sir Henry Chicheley and Colonel Spencer too remote to assist in any emergency, so that he has left only Colonel Bacon, Mr. Ballard, and Ludwell's brother (Philip), and sometimes Colonel Swan, Colonel Bridger, and Colonel Cole. His wife and Jenny present their humble service. 3 *pp. Endorsed:* "Rec^{d} 8 June 1676." [*Col. Papers, Vol. XXXVI., No.* 37.]

April 2. St. Jago de la Vega. **860.** Peter Beckford to Secretary Sir Joseph Williamson. Vessel seized by the Governor for landing goods without entry, contrary to the Act of Navigation. Supposes it will be condemned. Truly,

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my Lord uses all possible means to suppress the privateers. Account of the seizure of a ship with negroes not belonging to the Royal Company, and the legal proceedings in consequence. The Judges dismissed the cause, and they come to trial at next Court at common law. Will give his Honour an account of the suit in his next. The Judges of the Admiralty were Sir Henry Morgan, Lieutenant-Colonel William Beeston, and Lieutenant-Colonel Robert Byndlosse. "Per the Jamaica factor, Captain Jos. Bartholomew." 2 *pp.* [*Col. Papers, Vol. XXXVI., No.* 38.]

April 3. **861.** Account of the Caribbee islands, by Colonel Philip Warner. St. Christopher's, "the mother island," belongs jointly to English and French; the two ends to the French, the most fertile and pleasant part; the middle to the English, the most hilly yet most contiguous and within communication. There are 800 Englishmen in arms, and 200 French, who have taken the oath of allegiance to the King. On the French side are 1,400 men in arms, besides 300 soldiers. There were 3,000 or 4,000 English in St. Christopher's. There is no wood. Sir Thomas Warner at the first settlement possessed himself of Marigalante, with Thomas Williams, Governor, but about 23 years ago the Indians cut them off, after which the French in a short time settled the island. St. Lucia was also taken by Sir Thomas Warner, who made Major Judge Governor, but the Indians worried them out and they deserted. In 1665 Lord Willoughby sent 1,100 men, who were almost all cut off, and lately the French have taken it. St. Vincent is possessed by the French, where are about 3,000 negro inhabitants, and in no other island, are as many Indians. Grenada, inhabited by French and Indians, with 200 soldiers. Bequia inhabited by Indians. Dominica has several French families who live among the Indians. Nevis belongs to the English, with 1,500 men able to bear arms, of which 1,000 have arms; there are six forts on the south-west side, which is only navigable, all the other side rocky; good anchorage for ships, but can only lade and unlade at Charles Town, so named by Sir Charles Wheler. Rodonda, an inaccessible rock of 200 acres, nothing but birds and crabs, and of no use. Montserrat, settled mostly by Irish, with 1,500 or 1,600 men in arms; Mr. Carroll now Governor; Briskett Bay, the best port; places of trade, Plymouth and Kinsale. Antigua has 70,000 acres of manurable land and 30,000 not so; 32 miles long, 18 miles broad in the narrowest part, and 25 miles in the broadest. Several good harbours and two places ordered by law for trade, Falmouth and St. John's, and in each a fort. 3,500 white and black inhabitants, and 1,100 men, disciplined horse and foot. Other islands: the biggest, 1,400 acres, called Long Island, and Goat Island of 300 acres. In Antigua, 14 files of men are kept on guard every night against the Indians, three nights before and after the full moon they are doubled, the foot are paid 8*d.* a day, the horse proportionably; there is a minister. Barbuda, about 10 miles from Antigua, twice settled by the English, but both times cut off by the Indians; now only used as a farm by lease granted to four persons by Lord Willoughby, who continue about twenty lusty

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men at a strong house to secure the stock, their end being to make it a market of provisions for the other islands. Anguilla, a barren rocky island, ill settled by English. Martinique has about 3,000 men in arms, besides soldiers. Guadaloupe has 1,300 or 1,400. Marigalante has 700 or 800. Sta Crux about 700 St. Martin's, a barren island, 400; and St. Bartholomew has as many or more. The French have in their islands two regiments of the old bodies of Poitou and Navarre, about 800 in a regiment, and have remained there since De Ruyter made his onset on Martinique in July 1674. The soldiers at St. Christopher's have an allowance of a pint of brandy, a bottle of wine, and new bread every morning, five pounds of flesh and three of fish every week. They are in King's livery, well accoutred. [*Col. Entry Bk., Vol. XLVI., pp.* 76–81.]

April $\frac{3}{13}$. Barbadoes.

862. Governor Sir Jonathan Atkins to Secretary Sir Joseph Williamson. So sensible have they been in England of our misfortunes, by the negroes first and then by the hurricane, that no ship has arrived for more than five months; but they hope for better things and are resolved to receive what comes from the hand of God with patience. They retain one advantage, they sleep not so unquietly as the rest of their neighbours in America, from whence they receive nothing but ill news of daily devastations by the Indians who increase in strength and success which spread like a contagion over all the continent from New England where they have burnt some towns and destroyed many people, to Maryland where they have done the same, likewise at Virginia; neither is New York without apprehensions of their break with them. Can say but little of Jamaica; finds the expectation which was great fades, the land proving very sterile and will not last above three years for canes which will not answer the charge. Their chiefest dependence upon a difference with Spain that they may make up by rapine what they cannot obtain by industry. Lies under some affliction at the threatened dissolution of these plantations, for if the Indians did not hasten their fate, this Act for trade and commerce will in a short time effect it by bringing all their commodities to one market. Argues that it is against all practice to refuse a free trade to any island, and that the King thereby loses 10,000*l.* a year customs in Barbadoes. 2 *pp.* [*Col. Papers, Vol. XXXVI., No.* 39.]

April 4. Jamaica

863. Governor Lord Vaughan to Lords of Trade and Plantations. Has at last got the map of the Island finished, and ordered Captain Davis to deliver it to Sir Robert Southwell to present to his Majesty. It was begun by Sir Thomas Lynch, and his Lordship has taken great pains to make it perfect; all former draughts were only by guess, but in this the sea coast and harbours are exactly laid down, and the islands, rivers, &c., and settlements, perfectly described and run with a chain. Has no doubt that in few years this will prove a most hopeful and thriving colony. The only enemy to planting is privateering, which he has endeavoured by all means possible to restrain and prevent, "but these Indies are so

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vast and rich and this kind of rapine so sweet that it is one of the hardest things in the world to draw those from it which have used it so long." Had gone so far in reducing that most of them were on the point of coming in and betaking themselves to another course of life when the covetousness and unfaithfulness of some people obstructed his design. Fears they are grown more numerous, and under pretence of French Commissions prey upon the Spaniards to the great dishonour of this Government. Laments the frigate's going home and begs another may be speedily sent. Arrival of an English ship fitted from London with 300 negroes taken at Angola without license of the Royal African Company; at request of the factors, seized the ship and brought her into Port Royal and "libelled against her in the Admiralty," but the Judges dismissed the cause, and the matter is to be tried in the Courts of Common Law in two months. Hopes soon to send the number of the people and the rolls of the militia. Must again importune their Lordships that our laws may be considered and returned to us confirmed. "Read 22nd June 1676." 2 *pp.* [*Col. Papers, Vol. XXXVI., No.* 40; *also Col. Entry Bk., Vol. XXIX., pp.* 52–54.]

April 4. **864.** Extract of preceding letter. *Indorsed* by Secretary Williamson "Royal Company, Negro ship." [*Col. Papers, Vol. XXXVI., No.* 41.]

April 4. Jamaica. **865.** Governor Lord Vaughan to Sir Robert Southwell. Refers to his last letter by Captain Webber. Has ordered the Captain [Davis] of the Frigate to deliver to him a very fair and exact map of the island, and begs he will present it to their Lordships. Sir Thomas Lynch began it and his Lordship has used all the care he could to make it perfect; if their Lordships have any curiosity to examine it Sir Thomas is best able to answer all inquiries. Begs he will put their Lordships in mind to send another fourth or good fifth rate frigate. Longs to know what is their Lordships sense of their laws, it much imports the interest of this place to have them returned confirmed. "Rec. 19th June 1676." 1 *p.* [*Col. Papers, Vol. XXXVI., No.* 42.]

April 6. Whitehall. **866.** Lords of Trade and Plantations to Sir William Berkeley, Governor of Virginia. In reference to the Acts of Navigation of the 12th and 25th Car. II. to take strict care not to suffer any ships to trade within his Government but such as belong to the people of England or of His Majesty's Plantations, and that Bonds be taken of Masters of Vessels to bring and unlade in some part of England, Wales, or Berwick. 2 *pp.* [*Col. Entry Bk., Vol. LXXX., pp.* 53, 54.]

April 6. Whitehall. **867.** Lords of Trade to Lord Vaughan, Governor of Jamaica (circular letter). Somewhat wonder no answer has been received to their letter of 11th August last, which inclosed inquiries concerning Jamaica, so send duplicates. [*N.B.—Lord Vaughan answered their Lordships' letter on 28th January* 1676 *and transmitted at same time an account of the state and condition*

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of the island, see ante Nos. 799, 800, *but these papers were not received until 8th May* 1676.] Desire satisfaction from his Lordship in all said inquiries where he may not have already made answer. Directions for observing the Act of Navigation in respect of taking bonds of trading ships, also for regulating the plantation trade. Also expect by the first opportunity the map of Jamaica made by Sir Thomas Lynch "with great exactness as we hear" left with his Lordship to take a copy. Lastly, desire an account of the late planters, their servants and slaves, which came to you from Surinam, how they are settled and distributed and of what advantages and importance they are or may be to your island. *Annexed,*

867. I. Inquiries to Lord Vaughan concerning the government of Jamaica in 30 Articles "by their Lordship's commands, Robert Southwell." [*Col. Entry Bk., Vol. XXIX. pp.* 42–49.]

April 6. Whitehall. **868.** Journal of Lords of Trade and Plantations. Sir Robert Southwell presented letter from Colonel Stapleton of 20th December last (*see ante No.* 748) with depositions relating to Colonel Warner to extenuate what was here laid to his charge. Their Lordships did not think fit to proceed therein, but ordered said letter and papers to be laid aside inasmuch as his Majesty had by his Orders in Council commanded Colonel Warner to be sent for his trial to Barbadoes and that he was just then ready to embark on H.M.S. Phœnix. Sir Robert Southwell acquainted their Lordships that he had been at the Tower with Colonel Warner and finding him intelligent in the affairs of the West Indies had taken from him a large account of the Caribbee islands and declared that it would be made more complete by what the Colonel had promised to write to him, whereupon their Lordships ordered that when said account was ready it should be presented to them that they might see whether they had any reason to alter or add to their report presented to his Majesty on 18th February last touching the defence of the Leeward Isles. On enquiring about the circular letters to be sent to the Governors abroad, ordered that at their next meeting all things be prepared touching those circular letters which remain to be sent. [*Col. Entry Bk., Vol. CIV., pp.* 100, 101.]

869. Journal of Lords of Trade and Plantations. Memorandum. —Sir Jonathan Atkins, Governor of Barbadoes, having by letter acquainted Secretary Coventry [*see ante No.* 439] with the expedition of Colonel Philip Warner, Deputy Governor of Antigua, upon the Indians of Dominica by Commission from Colonel Stapleton, his Majesty, upon arrival of Colonel Warner in England, was pleased to commit him to the Tower for the murder of one Thomas Warner, his reputed half brother [*see ante Nos.* 688, 750]. [*Col. Entry Bk., Vol. XLVI., p.* 63.]

April 6. Whitehall. **870.** Journal of the Lords of Trade and Plantations. Mr. Pepys acquainted their Lordships that the two convoys to Newfoundland would in ten days depart, and therefore desired to know if they would send any new instructions, because by what Sir John Berry

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did represent from thence, it is worthy of consideration whether their Lordship's instructions to him about removing the Planters are now fit to be pursued. Ordered that Sir Robert Southwell deliver to Pepys the letter he received from Sir John Berry to see whether it be as full as what was sent to the Lords of the Admiralty, and their Lordships will enter upon this business before the ships depart. [*Col. Entry Bk., Vol. CIV., p.* 101.]

April 6. **871.** Journal of the Lords of Trade and Plantations. The trade touching New England considered, and the abuses put upon the Navigation Acts, &c., read the Attorney-General's report of 28th January, and the merchant's petition read to his Majesty in Council on 21st January; merchants who signed the petition ordered to attend and make good their statements. [*Col. Entry Bk., Vol. CIV., pp.* 101, 102.]

April 6. Whitehall. **872.** Lords of Trade and Plantations to Sir Jonathan Atkins, Governor of Barbadoes. To take strict care that the Acts of Navigation be enforced within his government, and seizure made of all ships and their commodities, except such as are actually laden and shipped in England. This is of so high importance to his Majesty's service, and so penal to him in the omission, that the Lords are resolved to be very strict inquisitors, and to exact from him a frequent and punctual account. 2 *pp.* [*Col. Entry Bks., Vols. VI., pp.* 44-46, *and CIV., p.* 103.]

April 6. Whitehall. **873.** Lords of Trade and Plantations to Colonel Stapleton, Governor of the Leeward Isles. Duplicate of preceding. [*Col. Entry Bk., Vol. XLVI., pp.* 88–90.]

April 6. Whitehall. **874.** Same to Lord Vaughan, Governor of Jamaica. Duplicate of the above. [*Col. Entry Bk., Vol. XXIX., pp.* 49–51.]

April 6. Whitehall. **875.** Circular letter from Lords of Trade and Plantations to the Governors of the Plantations "about Trade and Navigation." Duplicate of the preceding. [*Col. Entry Bk., Vol. XCVII., pp.* 37–39.]

April 6. Boston. **876.** Samuel Symonds, Deputy Governor of Massachusetts, "by order of the Council" to Secretary Sir Joseph Williamson. Refers to Governor Leveret letter of 18th December [*see ante No.* 745] giving account of the war with the pagan natives. Had hoped by the next conveyance to have given a better account, but their calamities since that time have been much augmented. About 10th December, they with New Plymouth and Connecticut sent forth 1,000 men with some Indians in amity with them against the Narragansets, one of the most considerable people among those barbarians, who, notwithstanding their promises, had aided and abetted Philip Sachem of Mounthorpe, and dealt treacherously with them; these forces marching in the depth of winter (a time judged most opportune to distress them) into the Narraganset country, after much hardship, assaulted them at their headquarters in a rude fort made in a great swamp or grove of trees and underwood, where on their knowledge and concession of some captives many hundreds were slain,

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their wigwoms (*sic*) destroyed and they driven 40 miles up into the Nipmuck country towards Connecticut river, whither their forces pursued them and slew many; in the first engagement at the fort they had 70 slain and twice so many wounded, in the last pursuit not above three or four. The forces have been out in pursuit more than 100 miles to the westward and over Connecticut river, but cannot meet with any body of them, their manner being to remove from place to place almost every day, leaving their women and children in hideous swamps and inaccessible places, of which the country is full, and the men sometimes dispersing themselves in small parties all over the country, and by ambuscades and secret skulkings so infest the highways that many travellers have been cut off; then on a sudden, multitudes gathering together fall on their out towns, which, for convenience of tillage, lie dispersed a great distance from one another, so that it was impossible to preserve more than a few fortified houses, the incursions of the enemy being so sudden, and having in a few hours fired the deserted houses, barns, &c., are as suddenly fled into hiding-places before any relief could come; whereby it is come to pass that many country towns and farms are destroyed and many people brought to great want there and in Plymouth, and some towns on Connecticut river, and the like in Yorkshire, formerly the province of Maine. Immediately after the beginning of the war in Plymouth jurisdiction, it was suddenly dispersed all over the country, two or three hundred miles from Kennebec N.E., to the utmost bounds of Connecticut jurisdiction S.W., as if it had been a premeditated Jesuitical contrivance complotted long before; though they endeavoured to the utmost of their power to relieve the towns and plantations to the north of the Pascataway river, yet by their remote and incommodious situation they could not be preserved, but are mostly destroyed, many of the people being slain and the rest retired to places of better security. Since the beginning of the war, as they judge, above 500 of the King's subjects have been killed, several towns or villages wholly or partly ruined, houses burnt not easy to be numbered, people much distracted, husbandry and trading obstructed, scarcity of bread corn and provisions to be feared if the enemy prevails further and prevents planting and reaping, as they will doubtless endeavour; for such is the manner of their enemy's fighting that they judge it easier for the people to defend themselves against many thousands of a foreign nation than against two or three thousand of these barborous heathen. At their first coming, some forty years since, it was their great care to see all the people under the government well armed and trained; the Indians then had no guns, and there was a strict law with severe penalties prohibiting the selling them any powder, but in a short time they were furnished by the French and Dutch with as many as they would buy; many do affirm that they are encouraged by the French in Canada, who promised ammunition and aid of men this summer; great quantities of ammunition, they say, have also been furnished by Dutchmen (whom they name) from Fort Albany, which there is reason to believe, for in winter they had little. Have intimated thus much to Major Andros, Governor of New York, who, they hope, will do

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his utmost to prevent the like for the future. Will spend their lives and all willingly for the preservation of their country to the King's interest. Beseeches him to believe that the loss and sufferings have not proceeded from want of care in the government or conduct and carriage in commanders or soldiers, whose forwardness in engaging upon too great disadvantages is rather to be blamed, yet so it must be or the enemy not fought with at all. *Signed by* "Samuel Symonds, Deputy Governor, by order of the Council." *Endorsed,* "Rec. 17 June (1676)." 2 *pp.* [*Col. Papers, Vol. XXXVI., No.* 43.]

April 6–7. **877.** Journal of the Lords of Trade and Plantations. The complaint of Council and Assembly of Barbadoes referred by Order of Council of 24th November last read (*see ante No.* 714). Sir Andrew King ordered to attend on the point relating to the African Company. Finding mention in said complaint of a law for gauging sugar cask, ordered that Sir Jon. Atkins be writ to for same, also for all laws which have not had his Majesty's approbation.

April 7. Sir Andrew King and other officers of the African Company attending, their Lordships gave them some account of the complaints from Barbadoes, and directed Sir Robert Southwell to send them an extract so they might make answer, and same night said extract and letter were sent to Sir Andrew. [*Col. Entry Bk., Vol. CIV., pp.* 101, 102.]

April $\frac{8}{18}$. Barbadoes. **878.** Governor Sir Jonathan Atkins to Secretary Coventry. Five months since a ship arrived from England. Having put an end to their first miseries by the hurricane, they encounter a second in the produce of their sugars, not half what there was last year, and there is little or no ginger. Account of the seizure by M. de Baas at Martinique of the "Salisbury," John Swinstead, Commander, belonging to Richard Walker. The French successes against the Dutch have raised them to a high pitch of assurance. Begs he will acquaint the King, and adjust this affair with the French ambassador. Is troubled he has the gout; they have it here, but their pains, though very violent, not of long continuance. Has sent him some of the tar of this island, which they say is a kind of balsam and works great effects. 2 *pp. Annexed,*

878. I. Governor of Martinique to Governor Atkins. Advises him of the seizure of the "Salisbury" on 28th January last by order of M. de Baas under pretext of her trading with the island which "I have disavowed by my declarations and protestations to the contrary." Expresses his respect and friendship for the English nation. *French,* 3 *pp.* These letters were read by Committee of Trade and Plantations on 24th November 1676, and their Lordships, being already informed of the whole state of the case, and that Mr. Secretary Coventry has some time past made complaint to France, think fit that fresh instances be made there for satisfaction, and Mons. de Baas, who is coming home, be called to an account at his arrival. [*Col. Papers. Vol. XXXVI., Nos.* 44, 44 I.; *also Col.*

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Entry Bks., Vols. VI., pp. 93–97, *and CIV., p.* 255.] *With memorandum:* "The petition of the parties, state of their case and depositions are entered among the papers of ships detained by the French privateers."

April 10. Whitehall. **879.** Journal of the Lords of Trade and Plantations. His Majesty having been pleased to dissolve and extinguish the late Council of Trade and Foreign Plantations, and to commit what was under their inspection and management to a Committee of the Privy Council appointed for matters relating to Trade and Foreign Plantations, their Lordships sign the following circular letter:— His Majesty having thought fit to supersede the Commission of his Council of Trade and Foreign Plantations, and restore that business to its accustomed channel, and having more especially committed to a select number of the Board "whereof we are" the management of things relating to his plantations have therefore thought fit to send some heads of inquiry "the better to guide you in the method of that state and representation of things which we expect from you and do desire it may be done with all convenient speed." *Signed by* Finch, C., Ormond, Anglesey, Bridgewater, Carlisle, Craven, G. Carteret, H. Coventry, and J. Williamson. [*Col. Entry Bks., Vol. XVII., pp.* 49, 50, *and Vol. LII., pp.* 21, 22.]

April 10. Whitehall. **880.** Journal of Lords of Trade and Plantations. Several drafts of circular and other letters prepared to the Governors abroad read. Two letters to Sir Jonathan Atkins, sending new heads of inquiry, and about the Acts of Navigation. Also to Colonel Stapleton with Orders in Council touching arrears of pay to soldiers and the restoration of the Planters. The defence of St. Christopher's considered and reported to the King. Good maps desired of St. Christopher, Antigua, and the Leeward Isles. The inquiries sent to Lord Vaughan, who is to send home a map of Jamaica and to declare what advantage he finds by the planters lately come from Surinam. To Sir William Berkeley, Governor of Virginia, with heads of inquiry. Also was prepared draft of letter to Lords Proprietors of Carolina, Lord Baltimore, Proprietor of Maryland, Sir George Carteret, Proprietor of New Jersey, and to the Bermudas Company, with the heads of inquiry which are written out in 30 Articles [*see also Col. Entry Bk., Vol. LII., pp.* 23–26]. But because the case and condition of places varied one from another, the following paper of variations was read and approved, viz., to Sir Jonathan Atkins, Colonel Stapleton, Sir Wm. Berkeley, and the Lords Proprietors. Their lordships, finding the governors had not taken the oaths which in the Acts of Navigation they are required to take, approve letter to the Attorney General to draw a commission for administering said oaths. Copy of Lord Vaughan's commission and instructions to be viewed touching approbation of laws; proposed that after the words "two years" be inserted "except in the meantime our pleasure shall be signified to the contrary."

Petitions of merchants and of mercers and weavers about the abuse of the New England trade read; the merchants attending and

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required to make out the facts promised to be ready in a week, and to send in the names of several persons who would depose to the truth of what they said. [*Col. Entry Bk., Vol. CIV., pp.* 103–109.]

April 10. **881.** Petition of the mercers and silkweavers of London to the King and Privy Council. That before the Act for prohibition of Irish cattle, great part of the silks and stuffs made in or imported into England, when out of fashion there, were sent to Ireland in exchange for cattle. That other great quantities were sent to the King's foreign plantations, till of late New England, contrary to law, have taken upon them to enrich themselves by sending supplies of silks and stuffs to said plantations, which they fetch immediately from France, Italy, or other parts beyond the seas, so that petitioners send little or none thither, whereby many are ruined, others greatly hurt, and most much prejudiced. The King suffers greatly in his revenue of customs by New England supplying his plantations not only with silks and stuffs but with brandy, sugar, oil, &c., with which they ought to be supplied from England and the King receive customs which would amount to above 60,000*l.* per annum. Humbly implore the King to grant them relief by ordering that the colonies should receive no supplies but from England, as by law directed. *Endorsed:* "Read at the Comtee., April 10, 1676. 1 *p.* [*Col. Papers, Vol. XXXVI., No.* 45 *and Col. Entry Bk., Vol. LX., p.* 107.]

April 13–15. Whitehall. **882.** Journal of the Lords of Trade and Plantations. Their Lordships enter upon the business of Newfoundland to see if it were necessary to give Captains Russell and Wyborn now going that way for convoys any instructions touching the removal of the planters as were the last year given to Sir John Berry. Whereupon Sir John's letter of 12th September last [*see ante, No.* 666] was read, and also the report which their Lordships had presented to the King upon the whole state of this business. Ordered that Sir Philip Lloyd take these two papers and draw forth proper heads of inquiry by Saturday next for said captains to carry with them who are then to attend.

April 15. The heads of inquiry were presented to their Lordships and reported to the King in Council who approved them. [*Col. Entry Bk., Vol. CIV., p.* 110.]

April 14. Whitehall. **884.** Lords of Trade and Plantations to Sir William Berkeley, Governor of Virginia. The King has superseded the Commission by which his Council of Trade and Plantations lately acted and restored all business of that nature to its accustomed channel of a Committee of his Privy Council. Find no fresher account of things under his Government than is represented in his narrative of 20th June 1671, and considering the condition of Colonies is subject to many changes and alterations send him similar heads of inquiry which formerly he had with addition of some other points for his speedy representation thereon. *Enclose,*

881. I. Inquiries to be sent to Sir William Berkeley, Captain-General and Governor-in-Chief of his Majesty's Colony of

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Virginia, comprised under thirty heads. *Signed by* Robert Southwell "by command of the Lords of the Committee of Foreign Plantations." *Together*, 5 *pp.* [*Col. Papers, Vol. XXXVI., Nos.* 46, 46 I.; *also Col. Entry Bks., Vol. LXXX., pp.* 47–52, *and Vol. CIV., p.* 104.]

April 14. Whitehall. **885.** Lords of Trade and Plantations to Sir Jonathan Atkins, Governor of Barbadoes. Have lately received his letter of $\frac{20}{30}$ November 1675. Expect from him immediately a narrative and deduction of all things past since his entry upon his government as in like manner for the time to come touching what shall happen. Recommend to him the several heads of inquiry in the paper enclosed, and desire his answer to all those points he may not already have fully answered. In a complaint from the Council and Assembly of Barbadoes referred to their Lordships by his Majesty's Order in Council of 24th November last [*see ante, No.* 714] find mention of a law passed touching the gauging of sugar cask which has not been transmitted to His Majesty as it ought to have been, therefore call upon him to transmit same and all other laws in use in that Colony, distinguishing those which have not yet received the King's approbation, presuming that none are of any force for more than two years which are not approved. And that all laws immediately on their passing be transmitted that his Majesty's approbation or rejection of them, even before said two years expire may be known and obedience given accordingly. *Annexed,*

885 I. Several heads of inquiry concerning the government of Barbadoes, contained in thirty-two paragraphs. $7\frac{1}{2}$ *pp.* [*Col. Entry Bks., Vols. VI., pp.* 37–44, *XCVII., pp.* 31–36, *and CIV., p.* 103.]

April 14. Whitehall. **886.** Lords of Trade and Plantations to Colonel Stapleton, Governor of the Leeward Isles. The business of the plantations is devolved unto a Committee of the Lords of the Privy Council. Do not find among the books of the late Council any account of affairs under his government since his narrative of 17th July 1672, therefore send same heads of inquiry he had before, with some other points, that he may return all transactions and passages which have since occurred. Acknowledge that he has given them full accounts touching the soldiers; the condition of the planters dispossessed by the French, and the defence of the islands, and send him their several reports and the Orders in Council thereon (*all abstracted under their respective dates*). Request maps of St. Christopher's and Antigua as he has done of Nevis and Montserrat which seem very exact. Also desire a map of all the Caribbee or at least Leeward Isles. *Enclose,*

886. I. Heads of inquiry to Colonel Stapleton, Governor of the Leeward Isles, in thirty sections. *Signed* Robert Southwell. Answer to these inquiries accompanied Colonel Stapleton's letter of 22nd November 1676 to the Lords of Trade. [*Col. Entry Bk., Vol. XLVI., pp.* 80–87.]

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April 14. Whitehall. **887.** Lords of Trade and Plantations to Earl of Shaftesbury. Because they do not as yet find themselves able to give his Majesty such account of the state and condition of that colony [of Carolina] as his services and its dependance on the Crown requires, send him "as we have done to others" some heads of inquiry [*see ante No.* 880], the better to guide him in the representation of what is expected from him, and desire "it may be done" with all convenient speed; and further to advise them in all matters from time to time that may conduce to his Majesty's service. 1 *p.* [*Shaftesbury Papers, Section IX., Bundle* 48, *No.* 97.]

Shaftesbury Papers.

April 17. **888.** Warrant of the Lords Proprietors of Carolina. Appointing William Saxby treasurer and agent "in matters relating to our joint carrying on that plantation," with authority to pay monies in his hands according to orders from said Lords Proprietors, and particularly to take the accounts of the late treasurer and agent Richard Davy, deceased, and receive from his executors or administrators all books and papers belonging to said Lords Proprietors, with the salary of twenty pounds per annum. [*Col. Entry Bk., Vol. XX., p.* 104.]

April 18. **889.** "Questions to be asked the New England men" concerning the observation of the Acts of Navigation. Whether ships have not gone from New England to France, Spain, Holland, Hamburgh, Scotland, Ireland, and other parts of Europe, laden with sugar, logwood, tobacco, sheeps wool, hides, &c., directly, without touching in any port in England, and have returned from these ports and sailed directly to New England, carrying with them brandy, French and Spanish wines, hats, druggets, ribbons, linens, and silks of all sorts, ironware, and other manufactures. If the persons whose names are underwritten be summoned to appear before the Committee, it is supposed they will prove what is above written. *Underwritten:* Captain John Wyborne, William Hawes (both at Tower Hill), John Harwood, at Mile End Green, Philip French, Canning Street, near London Stone, Benjamin Alford, Benjamin Battin, Edmund White, Thomas Norman, all to be found at the Exchange upon the New England Walk. 1 *p. with stamp.* [*Col. Papers, Vol. XXXVI., No.* 47.]

April 18–21. **890.** Journal of Assembly of Barbadoes. An Act for reviving and continuing an Act passed, entitled an Act for laying an imposition on wines and other liquors imported into this island, passed. John Dempster appears to prosecute his objection to Sir Alexander Walrond sitting as a member by reason of his voyage; Captain Vaughan summoned to give evidence to-morrow. Voted that no person under the age of 21 is capable to be a member of this House. Committee appointed to consider the statutes of this island, to draw new [statutes] of those expired and prepare amendment to those defective; also to prepare a Bill to prevent the meeting of negroes with Quakers as members of their congregation.

April 19. The above-mentioned Bill presented and passed. After examination of James Fauntleroy and Captain James Vaughan, voted

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that Sir Alexander Walrond is not of the age of 21, and that the Government be moved to issue a writ for election of a member of St. Phillips' parish to supply the defect of Sir Alexander Walrond.

April 20. A supplemental Act to a former Act for the better ordering and governing negroes, returned by his Excellency with amendments, passed. Ordered, that Colonel William Bate, Treasurer, pay out of the excise on liquors imported to Thomas Larkham, gunner of James' Fort, five thousand pounds of muscovado sugar for his salary as gunner of Willoughby Fort, also to Edward Preston, gunner of Charles' Fort, his salary as gunner of James' Fort, and to the mate and others.

April 21. That a Bill be drawn to prohibit the bringing of Indian slaves from New England to this island. Ordered, that Sir Alexander Walrond be allowed further time to make it appear he is of the age of 21 years, but that if he should not do so on the first day of their next sitting that the speaker move his Excellency to issue a new writ, the clerk of this House in the meantime to give copy of this order to Sir Alexander Walrond. Adjourned to Tuesday 13th June next. [*Col. Entry Bk., Vol. XIII., pp.* 216–222.]

April 19. Whitehall. **891.** Order of the King in Council. That several heads of inquiries to the Commander-in-Chief of his Majesty's ships now going to Newfoundland approved by the Lords of Trade and Plantations are hereby referred to the Lords of the Admiralty to give instructions accordingly. Then follow the heads of inquiry concerning the trade of the French there, the trade with New England, the number of planters, destruction of woods and stages, the boat-keepers, number of ships, &c. [*Col. Entry Bk., Vol. XCVI., pp.* 63–65.]

[April 19.] **892.** Petition of Francis Moryson, Thomas Ludwell, and Robert Smith, Agents for Virginia, to the King. Being instructed from the Government of that Colony to petition for a confirmation of their just privileges and properties under the Great Seal of England, about nine months since presented their petition, with such heads as they were charged to seek [*see ante, No.* 602], when, after sundry reports, a Bill was ordered to be passed under the Great Seal, but there it stopped, though petitioners can by no means find the cause, which much afflicts them. Pray for an order to the Lord Chancellor to pass said grant under the Great Seal. *Signed.* 1 *p. Endorsed,* "Received and read, April 19th 1676." [*Col. Papers, Vol. XXXVI., No.* 48.]

April 19. Whitehall. **893.** Order of the King in Council. On petition of the Agents of Virginia praying for confirmation of their privileges to the people of Virginia under the Great Seal of England to which a stop has been put, but for what cause petitioners knew not; directing the Lord Chancellor to cause said grant forthwith to pass under the Great Seal of England. *N.B.—See No.* 935. [*Col. Entry Bks., Vol. LXXX., pp,* 55, 56, *and Vol. XCVI., pp.* 66–67.]

April 20. Whitehall. **894.** Journal of the Lords of Trade and Plantations. Finding the Governors had not taken the oaths required by the Acts of

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Navigation, letter was written to the Attorney-General to draw a Commission for administering oaths to the Governors of his Majesty's Plantations to do their utmost that the Acts of Trade and Navigation be punctually observed in their respective Governments. 1 *p.* [*Col. Entry Bk., Vol. CIV., pp.* 108, 109.]

April 21. Whitehall. **895.** Order of the King in Council. That the Lord Treasurer pay to Colonel Edmund Stapleton, Deputy Governor of Montserrat, brother to Colonel William Stapleton and to Captain Ferdinando Gorges, arrears due for salary and pay to Colonel William Stapleton, but for what relates to the pay of the two Companies, that they give security for remitting same to said two Companies, care to be taken that the executors of Lieutenant Greatbach be satisfied for the pay due to him. [*Col. Papers, Vol. XXXVI., No.* 49, *and Col. Entry Bk., Vol. XLVI., pp.* 93–95.]

April 21. **896.** Warrant to the Attorney or Solicitor-General. To prepare a Bill for the King's signature to pass the Great Seal containing a grant to Abraham Langford of Clerk of the Navy Office in Barbadoes during pleasure, and to execute same by deputy with the fees, privileges, and perquisites thereunto belonging in as ample a manner as Londen or any others have enjoyed the same. [*Col. Entry Bk., Vol. CX., p.* 93.]

[April 22.] **897.** Petition of Sarah, mother of Giles Bland, now in Virginia, to the King. Her husband John having expended near ten thousand pounds in several plantations, sent their son Giles, on the death of his uncle, to manage same. Describes the quarrel between Giles Bland and Thomas Ludwell, and the "unexampled severity" of the Assembly to petitioner's son. That said Giles prayed he might be tried by a jury, and that the Council proceeded arbitrarily, violently, and injuriously against petitioner's son. Prays his Majesty to suppress said sentence and fine of 500*l.*, and that the Governor and Council be required to remove that prejudice and bitterness with which they still prosecute said Giles Bland, employed in his Majesty's service as Collector of Customs. *With reference* to the Committee for Foreign Plantations to report their opinions thereon. Whitehall, 1676, April 22. "Read, 30 May 1676." 2 *pp.* "Whereupon it is ordered that copy of said petition be given to Ludwell and the other Agents for Virginia, who are to attend." [*Col. Papers, Vol. XXXVI., No.* 50; *also Col. Entry Bk., Vol. LXXX., pp.* 57–59.]

April 24. **898.** Minutes of a Committee for Plantations. Several merchants who traded to New England and were best able to declare the abuse committed against the Act of Navigation there, being summoned and called in one by one, some were shy to unfold the mystery, others pretended ignorance, but most declared plainly how all sorts of goods growing in other plantations were brought to New England on payment of the duties payable by the Act for going from one plantation to another, that they went with those goods and many times with ladings of Campeachy wood which they ventured to fetch from the place and to trade to all

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ports of Europe, that in exchange of those goods they laded what each country did afford; and even now there were two or three vessels lading in Holland, and so sailed back to New England, without calling at Old England but when they thought fit, so that wines, brandy, and all other commodities were generally sold 20 per cent. cheaper there than English merchants trading thither according to the Act could afford; which, if not prevented, would quite destroy the trade of England there, and leave no sort of dependency in that place from hence. On which their Lordships report: (1) That a Commission should be sent to all Governors abroad to swear to several Acts of Trade, &c., put in execution; (2) That officers be appointed in New England to take duties arising from the Acts, &c., and, in case of refusal to admit them, the other plantations be forbidden to trade with them; (3) That captains of Her Majesty's frigates should have instructions to seize offenders against the Acts. 3 *pp.* [*Col. Entry Bk., Vol. LX., pp.* 108–110.]

April 24. **899.** Journal of the Lords of Trade and Plantations. Copy of preceding entry, with direction to the Attorney-General to give his opinion concerning the Act of Trade, 15 Car. II. Also petition of Sir Robert Southwell to the King. Being constrained to withdraw from the service of their Lordships for the recovery of his health, prays consideration of his services and expenses. With report, and orders of the King in Council approving same, that W. Blathwayt is a very fit person to continue always as an Assistant to the Clerks of the Council, and that each clerk who will serve attend for not less than six months. [*Col. Entry Bk., Vol. CIV., pp.* 111–115.]

April 24. **900.** Notes by Secretary Sir J. Williamson on New England trade, &c. Signor Alberti's case. Offley. Debts stated under his own hand due to several poor tradesmen, &c. He being no public minister (successor being here on the place for several months) to have the liberty of the law against him. Mr. Stroud. Several have no reason to complain, and as to the rest to take his case into consideration. He was Resident for Venice, and having the King's word for his privileges he prays they may be kept to him; he ought to have freedom till his return, even though a successor be come; he has paid 2,000*l.* of his debts since his order to return; he only expects bills to satisfy the rest; that the King will please to protect him from process of law for his debts till he can have bills, &c. Alberti contrasted these debts three years ago, a year ago he received 3,000*l.* and paid it, a few weeks since 1,500*l.*, 2,000*l.* remains due; his friends are not willing to furnish this sum yet, having not been satisfied with some affronts put upon him here about debts; doubts not but in a little time his friends will come to a better mind. His creditors; Coxe asks 45*l.* and yet but 5*l.* due; the State calls him home unexpectedly, and he shall lose his head for his disobedience (for he is no longer their master now); he has writ to the State that he cannot stir till he has wherewithal to pay his debts. Offley. Offers to give six months upon security

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to pay them then, &c., *i.e.*, to be assured he will not slip away. Sir George Downing. Remedies of the New England abuses. I As to the export of Plantation commodities, &c. The cure is to have the Governors take the oaths and to see bonds transmitted carefully, &c., &c. A circular letter is gone on it to all Plantations save New England; a like must be sent to New England and an officer settled there by the officers of the Customs, as in the other Plantations. The King's ships must be instructed to secure all ships trading contrary to those four laws, &c. II. As to import of European commodities directly from home. Order given to the Governors of all Plantations save New England already gone; a like must go to the Governor of New England, and to the officer meant to be sent to New England. New England commodities. Great cod, pipestaves—of no great value. A new England man carrying tobacco to New England from Virginia pays 1*d.* in the pound, and an Englishman bringing it to England pays but 1*d.*, and if he carries it out ½*d.* is restored to him, he carries the tobacco cheaper than the New England man. As to New England Trade. Acts as to Plantation Trade are:—12 Car. II., Act of Navigation and Trade; 15 Car. II., Act for encouragement of Trade; 22 and 23 Car. II., for regulating the Plantation Trade; 25 Car. II. for better securing the Plantation Trade. (1.) By Act of Navigation, all ships going from hence are to give bond if they lade any of the enumerated commodities in the Plantations, they shall bring them to England or Wales. It shall seem an English ship going from hence cannot trade from one plantation to another; or on lading in any plantation she must either produce a certificate of such a bond having been enacted into here in England, or must then enter into such a bond to the Governor to carry the goods to England or some other of the plantations (so by this clause it should seem such an English ship may trade directly from one Plantation to another. *Qu.* how this consists with the first clause ?). (2.) By Act for Regulating, &c., all the commodities must be conveyed to England, Wales, &c., or to some other the English Plantations, and what ship soever, qualified by the first Act to trade to the plantations, shall lade any of these goods without giving in such bonds to the Governor, or a certificate produced of such a bond entered into in England, &c., and shall carry the goods to any place save England, &c., or the other plantations, &c., the ship and goods are forfeited. (3.) By Act for better securing the Plantation Trade, &c, the ships capable to come to the plantations which shall there lade any of the commodities, and not give in the bond above required to bring them directly to England or Wales, is to pay the new duty, &c. (1.) A new England ship lading of these commodities from B.B., &c., to New England, must either by the law of 25 Car. II. carry them to England, which upon that supposition he must do, or pay the duties imposed by the said Act. (2.) Having paid these duties he is still obliged by the 22 and 23 Car. II. and 12 Car. II. to give a bond to carry these commodities to some other of the Plantations, or to England, &c., which, according to this supposition, he saves in carrying them to New England. *N.B.*—By the Act 22 Car. II., said ship ought to bring to England, Wales, &c., or to

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other plantations, &c., and by this of 25 Car. II. nothing is changed in that just Statute. *Endorsed*: "Signor Alberti, New England Trade." 4 *pp.* [*Col. Paper, Vol. XXXVI., No* 51.]

April 26. **901.** Warrant to the Master of the Ordnance. To deliver 50 barrels of powder to Captain Lawrence Wright, Commander of the Phœnix, to be transported to Jamaica and there delivered to the order of Governor Lord Vaughan. [*Dom. Entry Bk., Chas. II., Vol. XXIX., p.* 153.]

April 26. Nevis. **902.** Governor Stapleton to Lords of Trade and Plantations. Prays their Lordships to consider the sad condition of the respective islands and the two companies at St. Christopher's for want of arms and ammunition, the soldiers for want of pay, and recruits destitute of everything; commends their loyalty and patience in adversity. Declares he would rather carry a musket or a pike as a private sentinel than be a spectator of their miseries and deprived of means to relieve them. As for his own arrears as Lieutenant-Colonel in Sir Tobias Bridge's regiment shall hardly murmur if he never receives them unless his creditors compel him. Begs speedy relief for the soldiers, and to send over the public seal so often solicited and requisite for the settlement of the inhabitants in their possessions; also to represent to his Majesty the injuries done by the French to his subjects and what he has written of the many murders of the Indians, some being carried away and detained by them as slaves as the annexed addresses and depositions will more fully inform their Lordships. *Endorsed:* "Rec. 29 June. Read 27 July 1676." *Annexed:*

902. I. Depositions of Lieutenant-Colonel John Cormick, Ensign John Cormick, Lieutenant-Colonel John Sutton, Lieutenant John Sharpe, Daniel Dally, Dermott Sullivan, and John Dondy, taken before John Carrill, Deputy Governor of Montserrat. Testifying to the many times during years that the Indians have landed in different parts of the Island and murdered and taken away the inhabitants, and robbed, spoiled, and destroyed their plantations.

902. II. Deposition of Gilbert Loxley, aged 78, taken before Colonel Abednego Mathew [? Deputy] Governor of St. Christopher's. Well remembers that Sir Thomas Warner, then Governor, had about forty-six years ago several Indian slaves, one named Tom who had an Indian wife and a little boy, commonly called Warner, but never heard the boy was baptised; after his parent's death he ran away from his master Sir Thomas Warner and was absent many years, but returned and lived as a slave as before with his master, and after his death as a slave to Madame Warner. It was generally reported he was the chief leader who came to Montserrat and killed Thomas Russell.

902. III. Deposition of Captain Moyell Johnson, taken before John Carrill, Deputy Governor of Montserrat, concerning the Indians desperately wounding Henry Ashton at the conquest of the island by the French in 1666.

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902. iv. Depositions of Daniel Miskoll, Dermott Duell, aged 101, Captain Andrew Booth, Ensign John Ryane, Sergeant William Vaughan, and Phillipp Meagher, taken before Deputy Governor Carrill, concerning murders committed by the Indians at Montserrat. That Meagher being at Guadaloupe in June 1674 he met with "Indian Warner," who he well knew, and related how he was brought into great troubles by some outrages which other Indians had committed at Antigua, which Indian Warner said was wholly imputed to him by Colonel Stapleton, and that but for his brother Warner's intercession in his behalf he had been then hanged. That for revenge he used threats against Stapleton and the island of Montserrat, and a short time after Meagher saw at Guadaloupe nine perriagoes of Indians returned from murdering and plundering the English, especially in Antigua, and several negroes they were selling to the French for rum, and he saw also a Christian boy who belonged to Colonel Warner.

902. v. Deposition of Walter Carwardine, taken before Walter Symonds, J.P., of Nevis. That about forty-five years ago coming out of England with Sir Thomas Warner and living with him about five years among other Indian slaves he took notice of an Indian male child about six or seven months who was called Warner but never christened while Carwardine lived with him, or was ever reputed Sir Thomas Warner's son, or ever accounted other than a slave [*see ante No.* 748 i.].

902. vi. Depositions of Major Henry Crooke, Judge of the Court of Common Pleas, taken before Colonel Abednego Mathew, [Deputy] Governor of St. Christopher's. That he often frequented the house of Sir Thomas Warner and saw an Indian boy called Warner who served as a slave.

902. vii. Deposition of Margaret Stratton taken before Governor Mathew. That she knew an Indian slave named Warner, belonging to Sir Thomas Warner, after whose death he lived in the like capacity with Madame Warner until he ran away from the island.

902. viii. Deposition of John Chambers, taken before Judge Crooke. That he was taken prisoner in 1645 "by the arbitrary power of the usurpation," and sold servant to Sir Thomas Warner, and well knew an Indian boy called Tom Warner to be a slave belonging to Sir Thomas; that he also lived in that quality with Lady Warner until he escaped with another Indian belonging to Lieutenant Thomas Fruen, that it was never credibly reported he was baptised, and is the very Indian that report goeth was lately killed by the suffering inhabitants of Antigua.

902. ix. Certificate of Rowland Williams and six others. That by virtue of a Commission from Governor Stapleton forces were raised in December 1674 under the conduct of Colonel Philip Warner, then Governor of Antigua, embarked 21st December, and four days after arrived at

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Dominica wholly inhabited by Indians who some time before had landed at Antigua, committed many outrages and murdered some of his Majesty's subjects. Forasmuch as reports have been made that Colonel Warner slew Indian Warner on board his own ship with his own hands without advice of his officers, certify in the capacity of commissioned officers that all such reports are false and untrue, and that to their knowledge said Indian Warner was slain in the throng among others, but by what particular hand no man knows, and that said Indians were slain by the advice and consent of the commissioned officers.

902. x. Robert Jones to ———. Is informed by Mons. Bovine of a design the Indians have in hand against Antigua at the full moon, that when they last went it was only to make an inspection and they were determined to do there more mischief yet. That they would take twenty perriagoes to war against Antigua. He saw them poisoning their arrows and says they are Warner's Indians, and that Mons. de Baas has twenty of them in prison for abuse at St. Christopher's. The rogue that does all this was formerly a slave at Antigua and ran away and will never give over till he has them in keeping that kept him; he speaks good English. They have an English boy in keeping at Dominica they took when last at Antigua. Guadaloupe, 23rd November 1674.

902. xi. Address of the Governor, Council, and Assembly of Antigua. Certifying the many murders and outrages committed in this island by the Indians of Dominica, the employment of Indian Warner who "was always confederate with those that attacked us," that some of his Indians "as he called them" were among those that committed the horrid murders at Parham in 1672, and finding themselves involved in many miseries and in danger to lose their lives prayed Governor Stapleton in September 1674 to grant commission to make war against these Indians of Dominica, by virtue of which and at their earnest request their Governor, Colonel Philip Warner. went in person in that expedition. *Signed by* Row Williams, Jer. Watkins, Richard Ayres, John Parry, John Cade, Paul Lee, and Samuel Jones of the Council, Richard Bolaston, speaker, and ten others of the Assembly.

902. xii. Representation of the Deputy Governor, Council, and Assembly of St. Christopher's to the King. That the cannibals, savages, or Indians inhabiting Dominica, St. Lucia, and St. Vincent have ever proved themselves treacherous and perfidious, taking all opportunities to rob, murder, and commit outrages on his Majesty's subjects who have been inhumanly butchered, miserably mangled, dismembered, and other villanies not to be mentioned by a Christian, and lately by their murders and robberies at Antigua. *Signed by* Abed. Mathew, Deputy Governor,

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Henry Crooke, John Estridge, John Crooke, Roger Elrington, John Pogson, Jos. Crispe, secretary, William Miller, Thomas Soley, Speaker of the Assembly, and eleven others.

902. XIII. Representation of the Governor, Council, and Assembly of Nevis to the King and Council. The same as the preceding with this addition: That they have always been forced to watch and ward for fear of these Indians, that the French have made use of them against Antigua and Montserrat in the late war to the great terror of the inhabitants, and that their destruction would conduce to the safety of his Majesty's subjects in these parts. *Signed by* Ran. Russell, Fras. Morton, Walter Symonds, John Hughes, William Burtt, John Smith, John Nethway, John Coombe, Dan. Lanhather, and Justus Burkin of the Council, Jos. Rokeby, secretary, Thomas Cooke, speaker, and eight others of the Assembly. "Rec. 29 June. Read 27 July 1676." [*Col. Papers, Vol. XXXVI., Nos.* 52, 52 I. —XIII., *except No.* 52 X.; *also Col. Entry Bk., Vol. XLVI., pp.* 95–128.]

April ? Antigua. **903.** Remonstrance of the Governor, Council, and Assembly of Antigua. Showing the reasons why they so earnestly craved authority and commission from Colonel William Stapleton, Governor of the Leeward Isles, to kill and destroy the Indians inhabiting Dominica, and why also they craved aid from the neighbouring islands under Governor Stapleton's command, and whether Indian Warner with his associates received not a due recompense for their villanies and barbarous practices, "we appeal to God and all the world." 4 *pp.* [*Col. Papers, Vol. XXXVI., No.* 53.]

April 27. Whitehall. **904.** Journal of the Lords of Trade and Plantations. Letter read from Sir Jonathan Atkins of 3/13th February last [*see ante, No.* 811] giving account of the present state of Barbadoes. Ordered that it be compared with their Lordships' letter to him of 11th August last [*see ante No.* 649], to see wherein he has satisfied their queries, and where he has been deficient. [*Col. Entry Bk., Vol. CIV., p.* 116.]

April 28. Whitehall. **905.** Order of the King in Council. Approving Commission prepared by the Attorney-General by direction of the Lords of Trade and Plantations for the Governors in America to take the oaths directed by the Acts of Navigation and Trade, and ordering that the Attorney-General prepare form of an oath to be taken by said Governors according to said Acts, to be inserted in said Commission. [*Col. Entry Bk., Vol. XCIV., p.* 68.]

April 28. James' Town. **906.** Giles Bland to Secretary Sir Joseph Williamson. The hardships and discouragements which he has suffered as Collector of his Majesty's Customs. Finds the state of things in a very distracted posture, which requires the immediate application of his Majesty and Council, for if not timely remedied the yearly revenue of more than 100,000*l.* which Virginia yearly affords to his

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Majesty will be very much abated. So little reverence is paid to the Government that a considerable body of the country have armed themselves without commission against their enemies, and for redress of their grievances, which he has more largely set down in enclosed paper. Seizure of a French ship which has run aground, her cargo said to be worth 13,000*l.* or 14,000*l.*; so much embezzled that it is not now valued at above 3,000*l.* or 4,000*l.* *Endorsed,* "Rec. June 1676." 1 *p.* [*Col. Papers, Vol. XXXVI., No.* 54.]

[April 28.] **907.** Considerations upon the present troubles in Virginia, with the means by which they may be settled, to the great benefit of the Crown and the good of that Colony (the paper referred to by Giles Bland in preceding letter). Virginia hath not been under such great distractions since the year 1622, when the Indians in one night murdered so many that they left not 500 alive in the whole Colony. The present danger is greater, because of their discontents, which are so great for the defence of the country against the Indians, that a body of about 500 are in arms without the Governor's commission, who have set forth a declaration of their dangers and their grievances, and take no notice of the Governor's proclamation to forbid and suppress them. They are led by persons of quality, which was wanting in 1674, when they were suppressed by proclamation and the advice of some discreet persons. They are now conducted by Nathaniel Bacon, lately sworn one of the Council. They complain of the great and unequal taxes, the poorer sort by the poll paying as much as he that hath 20,000 acres, and the charge of two burgesses is 500 lbs. of tobacco daily to each county, though many of the counties are so small that they have not 500 tithables in them. The most prudent councils and applications most necessary to allay the strong and growing discontents, and which the authority and power lodged in the aged Governor and his divided Council are very unlikely to appease. A few concessions and directions suggested as worthy the consideration of those who have the care of his Majesty's interests in England. *Endorsed,* "Recd. June 1676." 3 *pp.* [*Col. Papers, Vol. XXXVI., No.* 55.]

[April 28.] **908.** Considerations upon the present troubles in Virginia, and how they may be settled. Greatly abridged from the preceding, relating solely to the unequal burthen of the taxes and levies upon the inhabitants of the Colony. [*Col. Papers, Vol. XXXVI., No.* 56.]

April? **909.** "The humble Appeal of the Volunteers to all well-minded and charitable people." First. Considering the poverty of this his Majesty's Colony, and how incapable they are (*sic*) to support the charge of a war, as also the imminent danger now at hand, whether greater loyalty to our Sovereign or charity to our country can be more shown than freely with our persons to oppose the danger and with our estates to support the charge? 2ndly. Considering the manner of the Indians, in no ways fitted for that sort

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of war used among Europeans, how they privily and silently attack the weakest and most unguarded places, and with such expedition, cunning, and wariness as make it difficult for us either to oppose or prevent their too frequent incursions. 3rdly. Whether forts erected at distances, and so scantily manned that they cannot draw out any competent force, can secure us? 4thly. Whether the intervals between fort and fort are not open to the enemy's incursions, and how, and where, we shall draw a competent number to oppose them; of what value are the forts if they only defend the ground on which they stand, and whether our security must not be completed with a moving force, but if an army must be added to these forts, how vast must be the additional charge. 5thly. If the present levy be esteemed too difficult, how can so vast a tax be paid, and by whom, when this war has drawn so many men from their occupations? 6thly. Judge therefore all unprejudiced men, for to you only do we appeal, whether anything of greater consequence for the country's good could be offered than with our persons and fortunes freely to redeem our country, and become both actors and paymasters of this necessary defensive war, and whether this our proffer be not wholly clear from any dregs of rebellion and mutiny. Whether volunteers who fight for their own lives and liberties, with their own arms and provisions, will not be every way better supplied and fitted for war than those raised at the country's charge. Whether we ought not to judge his Majesty's title prerogative good here, and his claim better than that of all Indians whatsoever, who have barbarously murdered his subjects and depopulated his lands. Considering the antipathy of all Indians to us, which they manifest as far as they dare, the sufferings of this flourishing Colony by these treacherous thieves, and our aversion to Indians, as his Majesty's enemies and the molestors of the public good, whether this be not clear evidence of our well wishes to the flourishing state of his Majesty's Colony. [*Col. Entry Bk., Vol LXXXI., pp.* 247–254.]

April 29. Boston. **910.** Pass signed by the Governor of Massachusetts for Josiah Willes, commander of the Sarah frigate, of London, 100 tons, ordering him to be received courteously, and admitted, on paying customs, to all ports, &c., and to be allowed to traffic where he pleases. *Signed,* John Leverett, Governor. 1 *p., with seal.* [*Col. Papers, Vol. XXXVI., No.* 57.]

April to October. **911.** Memorandum.—On 6th April and 26th October 1676 was read, at the Committee of Trade and Plantations, a paper of grievances presented to his Majesty, with a petition of the Council and Assembly of Barbadoes, and referred to the consideration of the Committee by an Order of 24th November 1675 (*see ante No.* 714); the second article relates to the Royal African Company.

July 6. After which was read the answer of the Royal Company, received 6th July 1676. That it is therein alleged the Company very scantily supply Barbadoes with negro servants, and those at excessive prices; to which the Company reply that they have been settled little above four years, in the two first navigation was

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obstructed by the Dutch war and general embargoes laid on all ships, yet the Company sent forth seven ships to carry soldiers and ammunition, &c., to preserve the forts and factories in Guinea, whence they proceeded with negroes to the Plantations, and four of the ships to Barbadoes. The third year, the war being ended, the Company most vigorously prosecuted their trade, and thence sent out fifteen ships to the coast of Africa, and ordered six of them to Barbadoes with about 2,000 negroes, which their factors disposed of at a much lower price than was usual before this Company was established. Last year they sent twenty ships to Africa, and appointed eight of them with about 3,000 negroes to Barbadoes. It is alleged the Company have sold their negroes at 20*l.* and 22*l.* per head, but an examination of the Company's books shows the price to have been about 15*l.* per head. By the Company's last letters there remained owing to them about 25,000*l.*, besides the 3,000 negroes sent last year, which may swell the debt to 70,000*l.* sterling or more. This present year the Company have already sent ships and intend more, by which the Company hope their Lordships may be satisfied what little reason they have to complain, which the Company believe they would not have done but to prevent the Company's complaint against them. *Signed by* Andrew King, Sub-Governor, Gabriel Roberts, Deputy Governor.

Oct. 26. Whitehall. Whereupon their Lordships ordered a letter to be written to the Deputy Governor of the Company, that their answer lying before the Committee for Trade and Plantations by order of Council, their Lordships have resolved to take up the debate of it upon Tuesday next, and desire him to attend and be prepared to answer what the agents for that island may allege against the Company concerning this matter. *Signed by* Philip Lloyd.

Oct. 26. Whitehall. It was likewise ordered that a letter be written to the agent for Barbadoes, which recapitulates all that has been done since the receipt of the petition of the Council and Assembly of Barbadoes with their grievances annexed, and commands his attendance on Tuesday to make good the arguments set down in the paper of grievances. The farmers of the 4½ per cent. will also attend, as well as the Deputy Governor of the Royal African Company, and some of the Commissioners of Customs will be present, their Lordships desiring to take their opinion upon the whole matter. *Signed by* Philip Lloyd.

Oct. 31. On 31st October the Sub-Governor and Deputy Governor of the Company attend, as also Colonel Thornborough, agent for Barbadoes, and Sir Peter Colleton, when the Company complained they were extremely endamaged by the interloping ships, notwithstanding they have been at 50,000*l.* charge to build forts for the support of their trade. Colonel Thornborough confesses that Barbadoes is at present well supplied with negroes, and that the complaint was made at a time when the Dutch war had occasioned a great scarcity of them, and therefore disowns the instance which is now made by Sir Jonathan Atkins in this behalf. 7 *pp.* [*Col. Entry Bks., Vol. I., pp.* 43–49, *and Vol. VI., pp.* 100–107; *see also Vol. CIV., p.* 236.]

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May 2. Jamaica.

912. Governor Vaughan to Secretary Sir Joseph Williamson. Acknowledges receipt of his letters, the last three days since by Mr. Ellasson, for whom he will do all in his power. In the close of one Sir Joseph is pleased to take notice of the differences between Sir Henry Morgan and himself, and advises the Governor to make them up. Does not know what complaints Sir Henry might make, but in the character I am shall never represent any personal dislikes, but endeavour faithfully to do my duty and advise of all such who do not do theirs. Therefore wrote his sense of the loss of his Majesty's stores, and impartially placed the miscarriage where he is sure the fault was. Could complain of the great ingratitude and disingenuity of the same person in having written so many false and malicious stories of the Governor, though is satisfied his Honour will not suffer the Governor to be abused by them. "What I most resent is, and which I consider as part of my duty to lay before your Honour, that I find Sir Henry, contrary to his duty and trust, endeavours to set up privateering, and has obstructed all my designs and purposes for the reducing of those that do use that curse of life." Had by several proclamations declared he would not permit those rapines and spoils, and that he would proceed against the offenders as pirates if they came into any of our ports. They went to Tortugas and took French commissions, and Sir Henry recommended some of our English privateers to the French Government for commissions, was himself concerned in their vessels, and put a deputation into his brother Byndlosse's hands to receive the tenths for the King of France, and has ever since corresponded with them. Relates all the circumstances concerning the seizure of John Deane's vessel [*see Beckford's letter, ante No.* 860], "who had the impudence to come to town." Doubts not, from the information and proofs sent, Secretary Coventry will be sufficiently satisfied of Sir Henry's disobedience and unfaithfulness, and of what dangerous consequence his setting up that kind of faction may prove to the island. 1½ *pp.* [*Col. Papers, Vol. XXXVI., No.* 58.]

May 2. Jamaica.

913. Peter Beckford to Secretary Sir Joseph Williamson. Seizure of a ship by Governor Vaughan; complaint of the master who brought her in that he had been robbed by privateers, upon which the Governor ordered Sir Henry Morgan to imprison the offenders, "which my Lord imagines he did not act cordially in," but on the contrary let them have advice that they might escape, and rather encouraged them, insomuch as one John Deane told the Governor he had done wrong in the seizure, so he was imprisoned, and at a Court of Admiralty, on 27th April, his Excellency sitting as Judge, was condemned of piracy, for which the multitude complain as well-wishers to piracy, but all of sense think it necessary, so that a strict peace be kept with the Spaniards. "Per the St. Thomas, Captain Knapman." 1 *p., with seal.* [*Col. Papers, Vol. XXXVI., No.* 59.]

May 3. Whitehall.

914. Order of the King in Council. Approving form of oath to be taken by the respective Governors of his Majesty's plantations;

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the persons who administer said oath to make certificate thereof. 1 *p.* [*Col. Papers, Vol. XXXVI., No.* 60; *also Col. Entry Bk., Vol. XCVI., p.* 69.]

May 3. **915.** The form of oath above referred to. Well and truly to execute and perform all matters and things which, by the statutes made in the 12th and 15th years of his now Majesty's reign, they are sworn to the performance of. [*Col. Entry Bk., Vol. XCVII., p.* 40.]

May 3. Jamaica. **916.** Governor Lord Vaughan to the Earl of Anglesea, Lord Privy Seal. Acknowledges his letter, and has written fully to their Lordships relating to the island and government. Has written to his Lordship upon all occasions, finding himself under a necessity of making use of his friends when so many had appeared industrious to misrepresent him. Hopes what he has written may by this time have given resolution to their removal, so that the island and himself may be in peace. Relates the whole circumstances of a case in which "I have detected him (Sir Henry Morgan) of most gross unfaithfulness in his trust and a wilful breach and disobedience of my orders, only because they have obstructed his design of privateering." (*John Deane's case, see ante, Nos.* 912–3). Sends the depositions and an exemplification of the trial that his Lordship may be satisfied that it is according to law, and agrees with all precedents in the Admiralty. Since the trial Sir Harry has been so impudent and unfaithful at the taverns and in his own house, to speak some things which seemed to reflect upon my justice, and to vindicate the pirate, but the people are more prudent than to be led away or persuaded by seditious discourses; however, has thought it his duty to lay it all before the Ministers, and that my Deputy Governor endeavours to set up privateering, and has, with his brother Byndlosse, encouraged the King's subjects to take French commissions, fitted them out to sea, and been concerned with them in their ships and prizes, and received a deputation to collect the tenths for the King of France. Supposes the Ministers will not consider Sir Harry worthy of any character or authority who makes use of it only for his own ends. Knows his imprudence and weakness lead him a great way, but believes his necessities do more, which would prove of sad consequence to the island if there should be any devolution of the Government. It would be a great satisfaction to all reasonable people in the island if they could be once freed from those fears, all having great apprehensions of his succession. His brother Byndlosse agitates him in all he does, has therefore given him no authority or any civil or military commission. He is a very turbulent fellow, some years since was surgeon of a ship, but can never be easy in any government. It would be a good thing if the Governor had a private instruction to put him out of the Council. Says nothing of this to any but his Lordship, as he knows he can depend upon his secrecy and friendship. Beseeches him to communicate the exemplification to the Duke of York. *Encloses,*

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916. I., II., III. Depositions of Warwick Coffin, John Yardley, master of the John Adventure, and George Bayley, Deputy Marshall of Jamaica in reference to John Deane's piracy and the privateers. 1676, April 28, 29, and May 3.

916. IV., V. Exemplification of the trial at the Court of Admiralty, held at Port Royal, 27th April 1676, before John Lord Vaughan, Governor of Jamaica, of John Deane, Commander of the St. David, who is adjudged to be a pirate, and condemned to suffer death. *Two copies.* [*Col. Papers, Vol. XXXVI., Nos.* 61, 61. I., II., III., IV., V., *also Col. Entry Bk., Vol. XXIX., pp.* 61–80,]

May 3. Jamaica. **917.** Governor Lord Vaughan to Sir Robert Southwell. Wrote by His Majesty's frigate Foresight that sailed three weeks since all that had occurred, and ordered Captain (Davis) to put the map of the island into his hands. Hopes the sight of his letter and map will abundantly satisfy their Lordships in all they have desired to know of this place and government. "Rec. 3 July 1676, by Capt. Jos. Knapman, Commander of the St. Thomas." 1 *p.* [*Col. Papers, Vol. XXXVI., No.* 62.]

May 5. **918.** Jacob Binckes, Commander of the Dutch Squadron, to ———. Arrived in the river of Cayana 4th May, and on the French Governor, the Chevalier Delesy, refusing to surrender they attacked the enemy and obliged them to desire quarter, which was given. Thirty-seven cannon in the fort. The sugar that grows is as good as Brazil, and for the goodness of the land it excels Surinam. There are 16 great plantations with sugar mills, and above 100 lesser plantations of indigo, cotton, and ginger, and room enough for more than 100 sugar mills. Had four killed and 72 wounded, being 1,047 men in all. 2 *pp.* [*Col. Papers, Vol. XXXVI., No.* 63.]

May 10. Henrico County [Virginia]. **919.** Proclamation of Governor Sir William Berkeley, addressed to the Sheriff of Rappahannock county. Setting forth his reasons for dissolving the present Grand Assembly, and requiring him to cause two of the most sage and best experienced and most understanding persons to be elected Burgesses of said county to meet the Governor and Council of State at James' city on 5th June next. 2 *pp.* [*Col. Papers, Vol. XXXVI., No.* 64.]

May 13. [Virginia.] **920.** Colonel William Travers to Giles Cale. The Governor is at the falls of James River, daily expecting the enemy. He has writ to Colonel Goodrich and Captain Hawkins to raise what force they can to destroy those barbarous Indians. The Governor understands it is the Susquehannahs that have done us the mischief, but does not speak at all of the "Portobaccoes," which makes Colonel Travers think he has not been rightly informed.

N.B.—This is written on the third page of the sheet, upon which preceding proclamation has been copied; on the fourth page is

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written: "This comes this post from Mr. Cale, Postmaster in Bristol, to Mr. Gardner, for your Honor, Ja. Hock (?)." [*Col. Papers, Vol. XXXVI., No.* 65.]

? May. **921.** Petition of your poor distressed subjects in the upper parts of James River in Virginia to Governor Sir William Berkeley. That the Indians have already most barbarously and inhumanly taken and murdered several of their brethren, and put them to most cruel torture by burning them alive; that they are in daily danger of losing their lives, and are afraid of going about their domestic affairs. Request they may be granted a commission to make choice of commission officers, to lead this party now ready to take arms in defence of their lives and estates, not that petitioners desire to make any disturbance or put the country to any charge. Implore the Governor's speedy answer, as the Indians daily approach nearer to their habitations. *Endorsed,* "Petition presented to the Governor per Jordans." 1 *p.* [*Col. Papers, Vol. XXXVI., No.* 66.] [*This is the petition which, ignored by Governor Berkeley, most probably led to Bacon's rebellion.*]

? May. **922.** Relation of John Bland. That he settled two of his brothers in Virginia, and supplied them to the value of 10,000*l.*, expecting proportionable returns, but both dying, and one leaving a widow, he sent over his only son Giles to take care of the considerable estate left and settle things on his behalf. On his arrival his son did his best to accommodate the whole affair with his aunt, and going to the house of Thomas Ludwell in company with Sir Henry Chicheley after they had drank plentifully there happened a discourse in which Giles Bland thought Ludwell's speech too severe in relation to his father, and told Ludwell that he dealt basely and unworthily to cast such aspersions upon his father and himself, and being transported with passion upon "further exchange of language" came to blows, and exchanged gloves to meet in the morning. His son slept not all night, and continuing hot headed, hastened to the place appointed, where, missing Ludwell, he nailed the glove on the door of the Grand Assembly [house] writing some words under it. Ludwell more wisely sought reparation before the Governor and Council, where Giles Bland was ordered to ask forgiveness which he performed, and the Court fined him 500*l.* for his abuse done to the Assembly, the payment to be suspended for two years to enable him to supplicate his Majesty to remit the same, it being intended rather to deter him from the like rash actions in time to come, than to ruin him for what he had unadvisedly committed. 1 *p.* [*Col. Papers, Vol. XXXVI., No.* 67.]

Virginia. **923.** Remonstrance of John Bland of London, merchant, on behalf of the inhabitants and planters in Virginia and Maryland, to the King, setting forth their grievances caused by the passing of the late Act for increase of trade and shipping wherein the Hollanders are debarred from trading with them, and arguing at great length on the inevitable destruction to those plantations if the Act remain

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in force and the advantages to their commerce and the King's revenue if it be repealed. 4 *pp. Printed.* [*Col. Papers, Vol. XXXVI., No.* 68.]

[*This most probably belongs to the year* 1663, *and should have been abstracted in a previous volume of this calendar.*]

May 18. Council Chamber, Whitehall.

924. Journal of the Lords of Trade and Plantations. Mr. Cranfield gave account of his proceedings upon his Majesty's commission and instructions of 28th March 1675 [*see ante, Nos.* 487—492], for the bringing of his Majesty's subjects from Surinam, and he presented a narrative to the like effect which was read. Ordered that he give in a memorial of Simpson's case who Cranfieldsaid had behaved ill at Surinam. Secretary Williamson to be asked what effect his Majesty's last orders had in Holland for demanding the jews detained in that Colony [*see ante, No.* 818]. He answered that the Hollanders denied the jews were his Majesty's subjects or free citizens. Cranfield prays their Lordships to give him some testimony of their approbation to his Majesty. Agreed to meet on Monday to proceed with Cranfield's business touching his orders to visit other parts. [*Col. Entry Bk., Vol. CIV., pp.* 117, 118.]

925. Abstract of the laws and statutes made by John Lord Vaughan, Governor of Jamaica, with his Majesty's Council and the Assembly of Freeholders there, which assembly was begun 26th day of April 1675. *For the titles of these forty-five Acts, see ante, No.* 538. *Endorsed by* Williamson "June 1676." 29 *pp.* [*Col. Papers, Vol. XXXVI., No.* 69.]

May 18 to June 22.

926. "Minutes of the Laws of Jamaica." A transcript of all the entries in the "Journal" in the preceding Abstract with certain alterations. In the Act for the better maintenance of the Ministry, the justices and vestrymen are authorised to raise the constant salary for their support and *not under,* which words the Lords think should be left out. That said justices and vestrymen may not seem to have an unlimited and arbitrary power of taxing the people on this account, but this minute is to be "left out." In the Act for the perpetual anniversary thanksgiving on the 10th May for the happy success and conquest made and obtained in his Majesty's island of Jamaica, the Lords agree to report to his Majesty that this Act be laid aside and the solemnity be discontinued as too much reflecting upon the circumstances of those times and of that conquest which rather seemed to have been made in opposition to his Majesty. In the Act for regulating the fees of the several offices, the Lords order that Sir Thomas Lynch be spoken to concerning the Marshall's fee of 2*l.* 10*s.* 0*d.* for executing persons which seems to be too great, but he informed their Lordships that the Marshall was at great charges in hiring an executioner and burying the person so "the fee agreed." As to the securities given by these patent officers, their Lordships agreed to lay the whole matter before his Majesty, but this paragraph has been struck out. In the Act for prevention of damages by fire, if any servant or slave smoke tobacco or carry

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firebrands within twenty feet of any cane piece they shall be punished by whipping or otherwise altered to whipping or other corporal punishment not extending to life or member unless done wilfully. *In margin :* *Q.* What law if it be done wilfully? "Mr. Attorney to consider" an Act for Naturalization. *Mem.*—Sir Thomas Lynch was, according to their Lordships' order, present at the reading of these Acts. *Also* "Heads of the Minutes relating to the laws of Jamaica" or Abstract of what their Lordships agreed to represent to his Majesty respecting the alterations and amendments to said Acts. 20 *pp.* [*Col. Papers, Vol. XXXVI., No.* 70.]

May 18 to June 22. **927.** Journal of the Lords of Trade and Plantations. The Lords do now take in hand the laws of Jamaica transmitted by Governor Lord Vaughan to Secretary Coventry ("all which laws are bound up in a particular Book," *see ante No.* 538). And their Lordships appoint a day on purpose for their perusal in order to prepare them for his Majesty's confirmation. The first and second read. *Mem.*—That Sir Thomas Lynch was by their Lordship's order present at the reading of these laws to satisfy their Lordships in the difficulties which might arise, and is to attend for the future from time to time.

May 22. Their Lordships proceed to the perusal of the 3rd, 4th, 5th, 6th and 7th laws of Jamaica and make sundry amendments. At the reading of the law touching foreign debts, their Lordships intend to take notice of two caveats brought in against it by Sir James Edwards and Sir Arthur Ingram [*see No.* 930]. Sir Thomas Lynch gave the Lords "several informations" relating to the constitution of the Island.

May 25. Their Lordships take in hand the laws of Jamaica, and make certain amendments in the Act for the better maintenance of the Ministry.

May 30. The Lords begin with the laws of Jamaica, and the Act for the good governing of Christian servants is read; their Lordships are not pleased with the word *Servitude*, being a mark of bondage and slavery, and think fit rather to use the word *Service* since these servants are only apprentices for years. They very much approve of this regulation for governing of servants, and order that enquiry be made whether this or the like law be in force in all other his Majesty's Colonies as being very necessary for the prevention of spiriting away children.

June 1. Their Lordships proceed with the perusal of the laws of Jamaica and make several amendments, but observe that when any alterations are made by his Majesty in the laws transmitted they are to be approved of by the Governor, Council, and Assembly there without re-enacting and sending them back for his Majesty's approbation again.

June 7. The law for settling the Militia read and amendments made.

June 8. Their Lordships again consider the laws of Jamaica, and on reading the Act for regulating the fees of the several offices, order that Sir Thomas Lynch be spoken to concerning the fee for executing persons, which seems to be too great, and further amendments are made in this Act and in others read at this meeting. The

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Lords will likewise propose to his Majesty that after his Majesty has given his assent to these or any other laws of Jamaica, it may yet remain in his Majesty's power to alter or revoke them at his pleasure since a perpetuity in some of them would be inconvenient and their liberty is only fit for encouragement.

June 12. An Act for confirming divers Orders in Council is read and amendments made.

June 15. Their Lordships consider several laws of Jamaica and make sundry amendments.

June 19. The Lords "enter upon the laws of Jamaica," read several, and make amendments.

June 22. Their Lordships proceed to the laws of Jamaica, several of which are read and amendments made, and their Lordships order search to be made whether the Governor be empowered by his Commissioner to appoint the Judges of the Island. [*Col. Entry Bk., Vol. CIV., pp.* 118–122, 124, 126, 127, 131, 133–136, 139, 140, 144, 145, 149.]

May 18. Boston. **928.** Unsigned letter to . The hand of God has been heavy on the land, more especially upon this town. The sword prevails abroad and sickness at home. We have heard that Plymouth, Deauxborough, and Bridgwater, are great part destroyed, and that Captain Bradford and his son are both slain; all communication between this and that land obstructed, so that there is room for hope that matters are not so bad as reported, but hitherto they have commonly proved worse. Some few captives escaped and others redeemed since he went hence. [*In margin*, 9th May.] The enemy instead of peace propound only a truce for a month with this, but not with Plymouth colony. The General Court still sit, they have weighty concernments before them, the Lord help them. Mr. Russell, the Magistrate and Country Treasurer, is dead; few families in town or country but have some dead or sick in them. Captain Gookin is made Mayor of Middlesex. From Hadley we hear that the Maquaes have fallen on the enemy and slain 79 from the eastward that many are cut off by the Maquaes. The sickness is among the enemy and some report the small-pox which is very fatal to them. *Endorsed by Secretary Williamson,* "10m. about Stratton in Bedfordshire." 1 *p.* [*Col. Papers, Vol. XXXVI., No.* 71.]

May 18. **929.** Minutes of the Council of Antigua. Present: Governor Sir William Stapleton, Lieutenant-Colonel Rowland Williams, Deputy Governor, and others. That the Act for establishing the towns be put in force; the Act for the import of liquors received (revived?), and the advantage thereof redound to the only use of the country; that for the better settlement of lands every one keep one white servant to every 10 slaves; that the fort and gaol of St. John's be forthwith gone about; that all soldiers listed in any company continue therein without (unless by) permission from the Governor or their Captain; that the Act for ordering the Militia be duly put in execution, and the Captain fined if they have not within 12 months, partizans, drums, colours, and halberds; that the

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Articles of War customary in other islands under his Excellency's command be put in execution here; and that the Surveyors of the highways be duly punished for their negligencies. 1 *p.* [*Col. Papers, Vol. XXV., No.* 55*.]

[May 22.] **930.** *Mem.*—In relation to the "Act against suing persons for foreign debts ["within five years after their arrival," *see ante, No.* 538, *Act* 42], the following papers were presented [to the Lords of Trade and Plantations] by Sir Arthur Ingram, once Governor of the Canary Company, and Sir John Edwards, Deputy Governor of the East India Company, on 22nd May. Geo. Needham of Jamaica did acknowledge a judgment in said Island on 6th January 1668[-69] for 640*l.* for account of Sir Arthur Ingram, and "after a multitude of other tricks to avoid the payment" now pretends to shelter himself under above Act of said Assembly; brought over amongst others by Sir Thomas Lynch for his Majesty's confirmation. It being so unreasonable that said Needham should be protected by said Act from a judgment acknowledged many years before said Act was made, Sir Arthur prays that said Act may not be confirmed by his Majesty, but made null that all his Majesty's loyal subjects may have equal justice in said Island, or that if it pass it may be with a proviso not to extend to the protection of said Needham from satisfying what he justly owes to said Sir Arthur Ingram.

Petition of Sir Arthur Ingram to Lords of Plantations. Setting forth the above-mentioned statement of his case and praying their Lordships' favour that if said Act be confirmed it shall not extend to the protection of said Needham.

Sir James Edward's case. That John Lewis is indebted to him by bonds which he had exemplified in 1671, but Lewis now pleads the five years Act. Humbly conceives the design of said Act was to encourage new planters by giving them reasonable time to enable them to pay their debts, and not to shelter those that are able and have been more than double that time there from the lawful prosecution of their creditors. [*Col. Papers, Vol. XXXVI., Nos.* 72, 73; *also Col. Entry Bk., Vol. XXIX., pp.* 88, 153–157.]

May 26. **931.** Chas. Bertie to Sir Robert Southwell. The Lord Treasurer desires him to send copy of oath agreed on in Council to be administered to Governors of Plantations, respecting the laws relating to trade and customs. If a warrant be issued to arrest Rawlins for forging certificates. 1 *p.* [*Col. Papers, Vol. XXXVI., No.* 74.]

May 30. Council Chamber. **932.** Report of the Lords of Trade and Plantations to the King. Having taken account from Mr. Cranfield how he has executed his Majesty's late commission, find by a particular narrative of all his proceedings that he has conveyed from Surinam to Jamaica 250 of his Majesty's subjects, all whites, and 981 slaves; that he adjusted all differences in accounts, and brought them off as much savers as could possibly be expected, leaving very few or none unless some Jews, whose coming away the Governor ob-

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structed, and for whom his Majesty has since interposed to the States General. That this number of his Majesty's subjects and slaves being conducted to Jamaica has been of considerable advantage to that Island, as certified by the Governor, who afforded them all the accommodations His Majesty directed. That Cranfield used his best endeavour to view his Majesty's other plantations as instructed; but wanting conveyance of transport, could only apply his observations to Jamaica, where he has given a general narrative such as the time of his continuance could afford. He alleges he has spent 100*l.* beyond his Majesty's allowance, which they suppose may be true. Presume to signify that he has in all points discharged himself with fidelity and success, and to recommend him to his Majesty's favour. 2 *pp.* *Annexed,*—

932. I. Edward Cranfield's Narrative of proceedings upon his Majesty commission and instructions of 28th March 1675 for the bringing of his subjects from Surinam. "Read to the Lords of the Committee 18th May 1676." 27 *pp.* *See ante, No.* 683.

932. II. Minute of the Lords of Trade and Plantations. Having this day taken into consideration Mr. Cranfield's "Narrative," direct that Secretary Williamson be asked what effect his Majesty's late Orders in Council have had for demanding from the States of Holland those of the Jewish nation who are detained in Surinam contrary to the late Treaty. To another copy of this Minute is the "*Mem.*—Mr. Secretary returned for answer that the "Hollanders did deny that the Jews were his Majesty's "subjects or free denizens." Council Chamber, Whitehall, 1676, May 18. *Together,* 2 *pp.*

932. III. List of "Orders and Despatches from the States in the matter of Surinam," with duplicates of all the papers in said list from 1675, January $\frac{8}{18}$ to March $\frac{2}{12}$ calendared under their respective dates, *see ante, Nos.* 408–410, 416, 417, 422, 454. *Together,* 20 *pp.*

932. IV. Reasons presented by Cranfield and read why he could not see any of the Leeward Islands. 1676, May 30. [*Col. Cal., Vol. XXXVI., Nos.* 75, 75 I., II., III., IV.]

May 30. **933.** Copies of the Minute and Report of the Lords of Trade and Plantations in the preceeding abstracts, *also* Order of the King in Council. On said report of how Edward Cranfield had discharged the trust reposed in him by his Majesty's commission for the removal of his subjects from Surinam, declaring his Majesty's entire satisfaction, and that Cranfield had acquitted himself very well and should not want marks of royal favour. Whitehall, 1677, January 21. *Also* Copy of Reasons presented by Cranfield why he could not see any of the Leeward Islands. [*Col. Entry Bk., Vol. LXXVIII.,* 166–171.]

May 30. Council Chamber, Whitehall. **934.** Journal of the Lords of Trade and Plantations. On reading petition of Sarah Bland in behalf of her son Giles in Virginia, referred to their Lordships by his Majesty 22nd April [*see ante,*

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No. 897] ordered that the agents of Virginia have copy of said petition and attend on Tuesday next. Cranfield attends, and his reasons for not visiting other parts of the West Indies are read, as likewise his observations on the present state of Jamaica. Ordered that inquiry be made by what authority Judges and Justices of the Peace receive their commissions under the seal of the Governor, also by what warrant the chancery is established. Their Lordships note that no blacks are permitted to bear arms. Cranfield ordered to give account of pepper and other East India trees once said to be planted in Jamaica, and Sir John Griffith to be spoken with on this subject. Cranfield reported that while in those parts seventeen sail of New England ships with logwood were bound to France whence they bring the commodities of that place to sell in the West Indies. The officers in Jamaica to keep an account of imports and exports. Cranfield having given up all his papers and a full account of all things passed in the execution of his commission, their Lordships remain satisfied with his behaviour, and agree to report to his Majesty their opinion that he hath been faithful in the discharge of his duty and has expended above 100*l.* on extraordinary occasions. [*Col. Papers, Vol. XXXVI., No.* 76; *also Col. Entry Bks., Vol. CIV., pp.* 124, 125, *and Vol. XXIX., p.* 52.]

May 31. Whitehall. **935.** Order of the King in Council. That the Lord High Chancellor of England do forbear putting the Great Seal of the Patent concerning Virginia notwithstanding the late order of 19th April last [*see ante, No.* 892.] [*Col. Entry Bks., Vols. LXXX., p.* 56, *and Vol. XCVI., p.* 74.]

May. **936.** "A description of the fight between the English and the Indians in May 1676, Nathaniel Bacon being their General and the number of his men 211." What we did was to destroy the king of the Susquehannahs, the king of Oconogee, and the Manakin King with 100 men besides what died. Took prisoner the King's daughter with some others, but regarded not the advantage of prisoners or plunder, but burnt and destroyed all, and what is most material have left all nations where they have been in civil war. 2¼ *pp.* [*Col. Papers, Vol. XXXVI., No.* 77.]

May? **937.** Complaint from Heaven with a hue and cry and a petition out of Virginia and Maryland to King Charles II. and his Parliament, addressed to the lord mayor, aldermen, citizens, and merchants of London. (*This was erroneously assigned to the year* 1662? *see No.* 404 *in a previous volume of this Calendar.*) The original cause of late and former distractions the Barklian and Baltemore party "the platform is Pope Jesuit determined to overturn England with fire, sword, and distractions within themselves and by the Maryland papists to drive us Protestants to purgatory within ourselves with the help of the French spirits from Canada." Old Governor Berkeley altered, by marrying a young wife, from his wonted public good to a "covetous foolage." Account of wars with the Indians and complaints of the proceedings of the Lords Proprietors of Maryland. 12 *pp. closely written.* [*Col. Papers, Vol. XXXVI., No.* 78.]

1676.
May—Oct. St. Christopher.

938. Five Acts passed in the Island of St. Christopher's, viz: 1. An Act for regulating the prices of strong drink in detail, 19th May. 2. An Act for the levying of twenty-five lbs. of sugar upon all white persons, and fifty lbs. of sugar upon all the slaves within his Majesty's part of this Island, 31st May. 3. An Act prohibiting entertaining of aliens, &c., 9th October. 4. An Act for the erecting a fort on Cleversly Hill on this Island, 17th October. 5. An Act for the regulating the weights and measures in his Majesty's part of this Island, and to prevent the bringing of unsound provisions in the same, 21st October 1676. [*Col. Entry Bk., Vol. L., pp.* 11–16.]

June 1. James' City, Virginia.

939. William Sherwood to Secretary Sir Joseph Williamson. Account of the ravages committed by the Susquehannahs; forts ordered by the Assembly in March last to be built at the heads of the several rivers for security of our frontier plantations. A great number of indigent and disaffected persons stirred up by Nathaniel Bacon, junior, of but little experience, and but of two years continuance in the Colony, who "thinking himself wiser than the law, raised forces by beat of drum to obstruct the proceedings of the Assembly to the terror of his Majesty's good subjects." Evil effects of his proceedings "the rabble giving out they will have their own laws, demanding the Militia to be settled in them with such like rebellious practices." This country has had 34 years' experience of the valour, conduct, and justice of their Governor, whose declaration will inform more fully of our present condition. *Encloses,*—

939. 1. Declaration of Governor Sir William Berkeley. Setting forth that Nathaniel Bacon, junior, Henrico County, with divers rude, dissolute, and tumultuous persons, contrary to their allegiance to the King, have unlawfully and tumultuouslytaken arms withoutcommission from the Governor; suspending said Bacon from the Council of Virginia, and all other his offices, and pardoning all his aiders and abettors, except John Sturdevant and Thomas Willford, the chief promoters of said unlawful practices, provided they return to their several habitations before the last day of this instant May. Henrico County, 1676, 10th May. *Together, 5 pp.* [*Col. Papers, Vol. XXXVII., Nos.* 1, 1 I.]

June.

940. Twenty Acts passed at a grand Assembly begun and holden at James' City, 5th June 1676. *Titles only, which are as follow,* viz: 1, an Act for carrying on a war against the barbarous Indians; 2, concerning Indian trade and traders; 3, concerning Indian lands deserted; 4, for suppressing tumults, routs, &c.; 5, for the regulating of officers and offices; 6, for choosing of vestries; 7, enabling freemen to vote for burgesses and preventing false returns of burgesses; 8, for representatives to vote with the justices at levy courts and making bye laws; 9, for County Courts to appoint their collectors and disabling councillors to vote in County Courts; 10, for the limiting sheriffs, &c., a time to demand the levies and for tenders to be made them; 11, two justices of the quorum to sign probates, &c.; 12, councillors and ministers' families to pay levies and money

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allowed them; 13, altering the encouragement for killing wolves; 14, for the further prevention of mischief from unruly horses; 15, against exportation of corn; 16, for the suppression of ordinaries; 17, limiting the bounds of James City; 18, repealing laws concerning Accomack and Northampton; 19, of general pardon and oblivion; and, 20, disabling Edward Hill and John Stith to bear office. *Signed by* Sir William Berkeley, Governor, and Thomas Godwin, Speaker. *Printed. N.B.—All these Acts and orders were repealed by his Majesty's instructions and proclamation, and also by an Act of Assembly, begun* 20th *February* 1677, *declaring them void, null, and repealed.* [*Col. Entry Bks., Vol. XC., pp.* 65, 66, *and Vol. XCI., pp.* 24, 25.]

941. "Bacon's letter." Doubts the people find too true what he mentioned before the sessions of this Assembly, that no hope of redress is to be had by any other means than an appeal to his Majesty, who he believes has never heard of the nature of their grievances, nor been fully informed how hopeful a Colony this is, or how miserable a condition ill-government and oppression have brought it to. Thinks he has discoursed the reason "why the hopes of a redress here by an Assembly in which I suppose all the experienced observers, all unprejudiced and well-minded men, will censure" (*sic*). First, the poverty of the country is such that all the power is got into the hands of the rich, who, having the common people in their debt, have always oppressed them. This misery of ruin the great ones conniving at, or rather juggling with one another, has perverted all equity and right too. So to the ruin of this Colony, things have been carried by the men at the helm as if it were but to play a booty, gain or divide a spoil. Now consider what hope there is of redress in appealing to the very persons our complaints accuse, who must not only be taxed but disgorge their extortions; consider the nature and quality of the men in power, not only the spungers of the commonalty as to their education, extraction, and learning, as to reputation of honour and honesty, and whether here, as in England, you can perceive men advanced for their noble qualifications of mind or honesty, a good security of the people's confidence. Judge impartially, and see rather that the majesty of power and authority, the dignity of judicature, those precious jewels of the people's safety, have not been abused by juggling mountebanks; let all men weigh whether the interest of a State be not in danger that is entrusted to such hands. True, the hopes of the people were in the Assembly, but see how poor people are debarred of their fair election, the great men having in many places the country in their debt, and consequently in their awe; how meanly we are provided with men of ability and courage, indeed of honesty, to stand up in the people's behalf, and oppose the oppressing party, the artifices, promises, and arguments used to bring over the minds of men in towns, and packing committees, and the badges of disfavour set upon those who speak freely or dissent. How great our grievances have been these many years, and how the Assembly have done answerable to our expectations. When you consider these things you will find it necessary that we

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send agents home for England, as also because some are gone before to represent many things to the disadvantage of the people, which you will understand. [*Col. Entry Bk., Vol. LXXXI., pp.* 241–246.]

June 8. Whitehall. **942.** Journal of the Lords of Trade and Plantations. [Thos.] Ludwell, Secretary of Virginia, shows a letter from Virginia concerning the present disturbances in that Colony occasioned both by the insurrection of the neighbouring Indians and by a mutiny of several discontented Englishmen, and promises to give a copy of the letter. [*Mem.*—He sent in this letter on the 19th current.] He is ordered to attend on Thursday with the other persons concerned in the petition of Sarah Bland, in behalf of her son now in Virginia. [*Col. Entry Bk., Vol. CIV., p.* 133.]

June 8. **943.** Edward Cranfield to [? Sir R. Southwell]. Has sent papers concerning the business of Surinam. Wishes their Lordships would intercede with his Majesty to procure Pringall and Mackintosh's removal to Jamaica for they were zealous in his service, whereas Simpson and his brother were bitter enemies. Encloses copy of a judgment against this Rowland Simpson for 240*l.* payable to Andrew Clifford, for the want of which he and his family are now miserable in Jamaica; recommends this in particular, also reminds him of the Lords' report touching "my behaviour in his Majesty's service." 1 *p. Encloses,*—

943. I. "Sentences upon several actions at Surinam." *Extract of the register of the proceedings at the Court held at Paramaribo in Surinam the* 10*th,* 11*th,* 12*th, and* 13*th of July* 1675 *for the dispatch of the English who depart from hence, in the presence of Governor Peter Vorsterre as President, and of the Commissioners of his Majesty of Great Britain, Edward Cranfield, Captain Richard Dickenson, and Marcus Brandt, and the Commissioners of the States General, Captain Charles Nightingale, Cornelis Snelman, and Alex. Batty; registered by Samuel Nassy. The following were "ordered by sentence to pay," or "to receive of," the persons named with the several amounts specified, viz.:* Madame Wale, Arthur Norris, Arthur Gally, Peeter Manten, William Davison, Henry Ferris, John Spenser, Mathew Hyde, Edward Ware, John Smith, George Gording, William Slade, Robert Hudson, John Horne, George Findel, William Johnson has no debts, Ralph Larcum has no debts, Elias Ely, William Yarwood, William Vahan, Richard Scot, Samuel Tare, William Waley, John Persen, Samuel Pinchon, whose payments and receipts occupy almost a page, Roger Philipps, Robert Browne, Walter Greene, Richard Done, Henry Long, John Jones, Andrew Clifford, John Vigars, James Davison, John Horton, Francis Wattson, William Smith, Jos. Rayly, William Heath, Augustin Gavel, Robert Smith, Jos. Starling, Thomas Gambol, Oliver Ampson, John Chambers, Charles Graves, Geny Dory, Jeremy Westropp,

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Edward Sauls, William Johnson, David Hutton, Mary Orpath, George Maskel, Alex. Sims, John Hoger, John Stalworthy, Teyge Mekmemare, John Lewens, John Willoby, Alex. Wilson, William Wyate, Henry Danfort, William Dobeson, Steeven Vissier, John Johnson Sonius, William Carpentier, Abraham Walker, Alex. Lark, John Cremar, Abraham Backer, John Haynes, Benjamin Peine (?), and Andrew Knights. *Endorsed as above.* 14¼ *pp.*

943. II. Petition of William Pringall and Henry Mackintosh, planters in Surinam, to Edward Cranfield. Complain that through a contract made with Rowland Simpson he would not suffer either of them to go off [Surinam], though they proffered to lose all their own and their slaves' time since they came to the Plantation. Desire he will acquaint his Majesty and assist them to the utmost of his ability. *Signed by* Petitioners. 1 *p.* [*Col. Papers, Vol. XXXVII., Nos* 2, 2 I., II.]

June 13. **944.** Agreement between the Lords Proprietors of Carolina and John Berkeley, Simon Perkins, Anthony Lane, and John Pettitt. To set out to them one whole colony of 12,000 acres of land, not before granted, where they shall choose, on condition that within five years they build upon said colony one town to contain thirty houses, and four in family in each house. One-fifth part of said houses and proportion of inhabitants to be brought in every year, fifty acres of land to be annexed to each house, the builder of each house to enjoy the freehold to him and his heirs for ever on payment of 1*d.* per acre to said Lords Proprietors, the first payment on Lady Day 1690. Any occupying 50 acres, and being four in family, may take up 350 acres more before 1690, with sundry other privileges. [*Col. Entry Bk., Vol. XX., pp.* 105–107.]

June 13. Boston. **945.** Governor Leverett to Secretary Coventry. Acknowledges the receipt on the 10th instant of the King's letter of 10th March, by the hand of Mr. Edward Randolph (*see ante, No.* 838), in whose presence the letter and the petitions of Mr. Gorges and Mr. Mason were read the same day in Council, whereby they have received a full demonstration of the King's favour and justice in imparting the matters of complaint against them, and thereby a further obligation to dutiful obedience. Though at present the heavy pressure of the Indian war, together with an epidemical sickness, impedes the convening of the General Court, with whom, according to their constitution by patent, it lies to make answer to the complaints, which will by the first opportunity be attended with all dutifulness and diligence, yet it was thought their duty by this conveyance to let the King through his Honour understand both the receipt of the letters and petitions, and that the matters of complaint in the petitions are impertinencies, mistakes, and falsehoods, proof whereof will be made out in their more particular answer. Though they deny not (but that not by any force, as is suggested), but by the just and plain extent of their patent line (as they conceive), and on the earnest solicitation of the inhabitants

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in those northern parts, being then wholly deserted by the present claimers, are now under the King's government in this colony established. They fear not to submit the whole matter to a just and equal determination, not doubting of the King's clemency and favour. Much trouble and charge, they are sure, has been contracted to maintain justice among them, besides much expense of men and money for their defence in the Indian war. Are sure that, being a government constituted by the charter of the late King and encouraged by the present King's gracious declaration, especially in 1662, they will still be cherished. *Signed by* "John Leverett, Governor, with the consent and advice of the Council." *Endorsed:* "Recd. from Mr. Bunne, Sept. 14; read, Nov. 2." [*Col. Papers, Vol. XXXVII., No.* 3; *also Col. Entry Bk., Vol. LX., pp.* 111–113.]

June 13–14. **946.** Journal of Assembly of Barbadoes. Act for binding out poor children apprentices to arts, trades, and services, passed. Finding it needful to make some explanation of the late Acts concerning negroes, and to prevent the bringing of Indian slaves, as well as to send away those already brought to this Island, "being thought a people of too subtle, bloody, and dangerous nature and inclination to remain here," the Bill now read entitled an Act of Explanation to the Act of negroes and to prohibit the bringing of Indian slaves to this Island was passed.

June 14. Ordered that the Treasurer, out of the excise on liquors imported, pay to Governor Atkins the sum of 200,000 lbs. of muscovado sugar presented to him by the country for his better support in the government of this Island. Also to Thomas Rawlins, gunner of the forts at Austins Bay, his salary. Further debate and addition made to the Act of Explanation, which was then passed. Queries presented by merchants of St. Michael's to the Assembly containing grievances of the oppression of excessive and new invented fees taken by the officers. Ordered that copy be given to Edwyn Stede, Deputy Secretary, who is directed to appear at their next sitting. Address of the Assembly to the Governor and Council thereon. Ordered that a list of all fees demanded be sent to the Clerk of this House. Adjourned to 11th July next. [*Col. Entry Bk., Vol. XIII., pp.* 222–226.]

June 14. Barbadoes. **947.** Secretary Coventry to Sir Jonathan Atkins, Governor of Barbadoes. The bearer, Captain Alexander (*? mistake for* Abraham) Langford, is a person who hath done his Majesty very considerable service in many places, and particularly in the Colonies and West Indies, in consideration whereof his Majesty has granted him the place of Clerk of the Navy Office in Barbadoes as part reward and encouragement. Doubts not this will prevail with the Governor to show Captain Langford all favour in admitting him into said office, that he may execute same peaceably, "yet my particular kindness unto him in regard of his own merits and the respect I bear to some of his friends, makes me add my recommendation also in his behalf, which I hope will not be ineffectual.' [*Col. Entry Bk., Vol. CX., p.* 93.]

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June 14. Office of the Ordnance.

948. Estimate of the charge of the gunpowder, arms, and small shot, hand granades, &c., herewith mentioned, to be forthwith provided and issued out of his Majesty's stores and sent to Virginia. Total, 2,497*l.* 6*s.* 8*d.* [*Col. Entry Bk., Vol. LXXX., p.* 68.]

June 15.

949. *Mem.*—On 15th June Thomas Ludwell, Colonel Morryson, and Colonel Smith, agents for Virginia, as also Colonel Parks, attend the Lords of Trade and Plantations on petition of Sarah Bland in answer whereto is read the answer of Thomas Ludwell. That he has seen copy of petition presented by Sarah Bland to the King, and a reference to their Lordships for a hearing on the 6th of this instant June "and finding himself more particularly concerned as being bespattered with a part of that dirt which is thrown upon the whole Government of Virginia by the said Mistris Bland," he begs their Lordships' leave and patience to receive this his answer to the particulars of said petition. The Act of the Grand Assembly of Virginia of 21st Sept. 1674 against Giles Bland and Order of the Governor and General Court of 21st Nov. 1674 for fining Bland 500*l.* referred to in Ludwell's answer are both abstracted in the previous volume of this Calendar under their respective dates, *see* Nos. 1353, 1390. [*Col. Papers, Vol. XXXVII, No.* 4; *also Col. Entry Bk., No. LXXX., pp.* 59-64.]

June 15. Whitehall.

950. Journal of the Lords of Trade and Plantations. Sarah Bland's petition and Ludwell's answer, with the Order of the Governor and Council of Virginia imposing a fine of 500*l.* on Giles Bland, read. It was urged by Mrs. Bland's counsel that the Council [of Virginia] could not impose fines for an affront done to another Court, but that his trial ought to have been by a jury; but their Lordships conceived that a Council table was invested with many authorities that had in all times been exercised and allowed of; and that it will be hard, in so remote a place as Virginia, to support the Government if there were not an extraordinary power in the Board for emergent occasions. And considering Mrs. Bland's petition much reflected on the honour of the Council, their Lordships thought it necessary to have a copy sent over for an answer. My Lord Privy Seal at first dissented, saying it appeared to him Ludwell was qualified to make sufficient answer for the Council of Virginia, but if not, his Lordship would concur in sending over the petition. Ludwell being called in declared he had no authority from the Governor or Council in writing to manage this cause. Whereupon, ordered that report be drawn to his Majesty that copy of Mrs. Bland's petition be sent to the Governor and Council of Virginia for their defence in writing, or else to empower somebody here to answer for them and to be allowed six months time, no advantage to be taken in the interim as to the forfeiture of the fine imposed. [*Col. Entry Bk., Vol. CIV., pp.* 141, 142.]

June 15. Council Chamber.

951. Report of the Lords of Trade and Plantations to the King. On petition of Sarah Bland in behalf of her son Giles, that the matter has been argued before them by counsel learned on both sides, but forasmuch as said petition reflects upon the honour of the

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Council of Virginia and the legality of their proceedings, and that it is fit the Governor and Council should have opportunity to make their just defence, their Lordships propose that copy of said petition be sent to Virginia with allowance of six months for their answer. *Mem.*—On 27th July following, this report was presented, but their Lordships being informed that Mrs. Bland had prepared a petition to his Majesty, desiring leave to retract those unadvised and offensive expressions contained in her former petition, they think fit to expect his Majesty's orders thereon before said report be presented in Council. [*Col. Papers, Vol. XXXVII., No. 5, and Col. Entry Bks., Vol. LXXX., p. 67, and Vol. CIV., p. 184.*]

June 15. Boston. **952.** Governor Leverett to [Secretary Sir Joseph Williamson]. Received his letter from Whitehall, of 20th March [*see ante, No.* 846], on 10th June, and understands thereby his favourable acceptance of what he wrote on 18th Dec. [*see ante, No.* 745], with a manifestation of the King's gracious and compassionate resentment of the condition of these and others of his American plantations as being under the effects of a united conspiracy of the heathens. Thanks him for expressing his readiness to serve them, and gives an account of what has passed since December. Their forces joined with those of Plymouth and Connecticut in the Narragansett country under the conduct of Josiah Winslow, Governor of Plymouth, the enemy having done much spoil on the persons and estates of the people there, and in a very cold and tempestuous season at the end of December after a hard march fell upon the enemy in their advantageous quarter, environed with a swamp and within it some fortification, of which their men by the good hand of God became masters after some hours spent in a hot dispute, with the loss of five captains and about 75 men, and many wounded, the enemy having lost divers hundreds with all their habitations; the severity of the weather necessitating a march to their own quarters, where their provisions were, having only one house of Mr. Richard Smith's to retire to, scarce sufficient for the receiving their wounded men, the rest sheltered only by little huts under a stone wall; the men a little recruited, there were issuings forth towards the enemy, whereby much of their corn was seized, many of them taken and killed; the forces being recruited, six weeks after marched after the enemy, drove them from the sea-side up the country, whereby they were reduced to great difficulties and lost several of their people. The forces having spent several days in the wilderness and spent their provisions marched home again. Philip, with the upland Indians, a considerable number, having marched from the English towns on Connecticut River towards the Dutch at Albany to obtain a quiet quarter for the winter season, the Eastern Indians having likewise drawn off up into the wilderness, little action passed there except by some skulkers. The enemy driven from the sea-side, recruiting and joining with some of the inland Indians fell on several out and scattered plantations, where they did much spoil by firing houses, destroying persons and cattle, and taking captives, especially at Lancaster, the forces of the Colonies marched forth and gave some check to the enemies, by taking prisoners and killing many, some

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of their principal sachems, amongst others Quananshit, the chief sachem of the Narragansetts. Philip assailed the western towns on Connecticut River but was repulsed, and those with him retire to their fishing and planting higher up the river, while from the towns 200 issued forth, fell in upon the enemies' quarters and did considerable spoil, but relief coming in from other parts, were forced to retreat, and in the retreat the captain and above 30 more were lost. Several opportunities have since been sought to engage the enemy, which they decline, yet several have been taken and slain, this last week about 100; their last intelligence by some captain is that the greatest number of the enemy are gone up towards the head of Connecticut River, where they have planted much corn on the interval (*sic*) lands and seated three forts very advantageously in respect of the difficulty of coming at them; their forces with Connecticut are ordered to join to endeavour the assailing of the enemy, and they expect in a few days to hear of an action. The eastern parts have been and are quiet, many come in, others coming in, professing desire to be at peace, others say they never acted in hostility but withdrew to avoid engaging in the war, others that have been active and had taken prisoners delivered up their captives freely, so that it is hoped they are real, but a strict eye will be kept on them Several are come in to Connecticut and stragglers are coming in from day to day, who say that the generality are weary of the war, but some are desperate and resolve to hold it out to the last. The hand of God has been heavy on the Colonies by an epidemical distemper of colds and thereby putrid fevers, whereby many have been brought low and others removed by death, so that the Colonies are brought low, yet resolved to prosecute the war to the utmost, and hope in His good time to give an account of the Lord's delivery of them. Since December by the nearest computation they have had slain and taken captive about 340, the captives being about 40, of them redeemed and returned above 20. They have report of the enemy assailing Hadley on the Connecticut River on the 12th instant, where it is reported they were repulsed with considerable loss; their own forces lost four men, but they have not an account of the particulars. The enemy's great body is in those parts, to engage whom they have sent considerable forces and expect to hear of action speedily, if the great rains prevent not. 3 *pp.* [*Col. Papers, Vol. XXXVII., No.* 6.]

June 17. Boston.

953. Edward Randolph to Secretary Coventry. Having landed at Boston, the metropolis of the American plantations, on the 10th instant, waited on the Governor, showed him the King's pass, and, according to the instructions given to the master of the ship in which he sailed, to act in case of his miscarriage at sea, himself having only a verbal order, acquainted the Governor with the cause of his coming over and asked him to assemble the magistrates as soon as might be; was told that a Council had been appointed on other business that afternoon, which he attended and delivered the King's letter that included Mason and Gorges' petitions; they being read by the Secretary in his presence, the Governor told the Council that the matters contained in the petitions were very

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inconsiderable things, easily answered, and it did in no way concern that government to take notice thereof; informed them that after due advice they were to give a full answer to the King's letter with all convenient speed; they asked by what order he made that demand, desired him to produce it, for as yet it did not appear to them that he was further empowered by the King than to deliver his letter and hear it read; replied that what he had there demanded he would answer at Whitehall. Monday following they sent their Secretary to his lodging to know what further instructions he had to communicate to the Council; showed the Secretary a general order given to the master of the ship, and permitted him at his request to carry it to the Council; after two days' consideration it was resolved that thanks be returned to the King for his gracious letter and an answer forthwith sent by a master of a ship ready to sail for London. Thursday following was sent for to the Court; the Governor asked if he intended for London by that ship; if so, he should have a duplicate of their letter to the King then or at any other time when he did return, but not the original, for that was to accompany the Governor's particular answer to a letter from Sir Joseph Williamson by the same master of the ship Randolph came with; asked if they had well considered on the King's letter in so short a time and had concluded on their agents and their time of going for England; he said the Council looked on Randolph as only Mason's agent, and if he had nothing further from the King to them he might withdraw. Knows not the contents of their letter, but is credibly informed they defer the business till October next when their General Council is to meet; these are their usual methods of discountenancing all affairs that come to them from the King; cannot expect better when they yet glory in their affronting Sir Robert Carr and other of the King's commissioners, neither are they to learn that old trade of inventing and spreading false reports which are easily credited coming (as they say) from very honest men in England, viz., "that upon his Majesty's intentions of suppressing all noncomformists' meetings last March they were all in an uproar and going to cut one another's throats and that his Majesty intends to alter the Government and bring episcopacy into New England, a thing more dreaded than the Indian war, by such cunning pretences whole herds of the meaner inhabitants are frighted from their obedience to his Majesty into the toils of their unlimited authority." Friday, waited on the Governor at his house for the answer of the King's letter, but he refused that or the duplicate till Randolph was ready to sail; discoursing with him about several ships arrived in the harbour (since his coming) from Europe contrary to the Navigation Acts, he freely declared that the laws made by the King and Parliament oblige them in nothing but what consists with the interest of New England, that the legislative power abides in them freely to make laws not repugnant to the laws of England by their charter, and that all matters in difference are to be concluded by their final determination, denying any appeal to the King. Since his coming some have declared that the King cannot retrench their liberties, but may, if he please, enlarge them. The commissions granted to their officers in these Indian wars are in their names and

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authority, allowing to the King only *magni nominis umbra;* the sea-coast towns, especially Boston and Piscataqua, are the residence for foreigners and English factors that have foreign commissions for trade; there is not any form of a Custom House, but a small acknowledgment collected on goods imported by the Governor and the late Treasurer's sons who pay the surplusage of their salary, if any, to the common stock. Since the 10th instant there have arrived from Nantes a Bostoner, 100 tons, Clutterbuck, master, laden with 50 butts brandy and French commodities, a pink of Boston from France, of 70 tons, with 12 tun of brandy, wine, &c., a Scotsman, 130 tons, from the Canaries, with 80 pipes of Canary, a Bostoner, 80 tons, from the Canaries with 50 pipes of Canary, this day a ketch of Southampton from Canary, contents and burthen does not know. About a month ago a Bostoner, 150 tons, from the Canary with 70 pipes of wine, and about the same time another Bostoner, 160 tons, from the Straits with Malaga wines, oils, &c; does not know what has come into the Piscataqua River and other ports there. Government consists of a Governor, 11 Magistrates and a Secretary, all yearly chosen, most of them inconsiderable mechanics packed by the prevailing party of factious ministry who have a fellow-feeling both in the command and profit; none capable of election but church members, confiding men, such as have signally expressed their affection to the Government; these lay what impositions they please; a tax of 20,000*l.* is out of hand to be collected for payment of the army greatly discontented and in great arrears and for defraying the public charges of the war; no accounts audited or debts paid notwithstanding several great sums of money have been gathered with a duty of 4*d.* per quarter on all malt imported from England for two years past. The clergy generally inclined to sedition, being proud, ignorant, and imperious; Owen and others, *ejusdem farinae,* are in great veneration, yet there are some civil gentlemen among them that on all occasions express their duty to the King, abominating the hypocrisy of their pharisaical sanhedrim. Standing militia of the country consists of 10,000 foot and 1,000 horse; they can on occasion raise 20,000 more; magazines of arms and ammunition indifferently stored; the Indian wars have been expenseful to them; is told they want 1,000 good arms. Among the Commanders Major Thomas Savage, a gentleman of very good family in England and loyal principles is chief in the soldiers' affections, being the only field officer that faced the Indians; Goffe, the old rebel, is still in the country, narrowly escaped the Major in the southern parts, where he and others are harboured by their antimonarchical proselytes; one Dennison is Major-General and Chief Commander, a prudent man that sat at home in Council, being indisposed to fight, dividing the spoil with the magistrates, his brethren of, the captive Indians. Major Winslow, General of the southern forces, is a stout commander, well-beloved, and on good occasion will freely act for the King's service; many in the very magistracy, clergy, army, merchants, and commoners, that highly affect the King's interest, but the daily abuses and discouragements offered to such in whom appears the least suspicion of loyalty make them conceal themselves till the King should fully resolve upon reducing

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the plantation to their due obedience; this summer would have effected it with very small trouble and charge, for the least stop on their trade, together with the present disturbance from the Indians, would turn them all on their magistrates and force them to an humble and ready submission. Is confidently assured by those that well understand the affairs of the country that 3 frigates of 40 guns, with 3 ketches well manned, lying a league or two below Boston, with express orders to seize all shipping and perform other acts of hostility against these revolters would bring them to the King's terms, and do more in one week than all the orders of King and Council in seven years; there are several empirics in England that bolster up the deformed anarchy with lying delusions, sometimes informing that the King is persuaded to sign letters and orders, and does not really intend what he writes. Their trade has been somewhat obstructed by the Indian war; there are discourses of a peace, that several hundreds have surrendered themselves upon Articles in Maine and New Hampshire. The war in King Philip's country is smartly prosecuted by General Winslow with good success, and they question not but to give them a total overthrow next winter, if not before, having reduced them to great extremities and killed most of their chief leaders. Notwithstanding the disturbances the fishermen have made very good voyages, having killed above 12,000 kintals of cod fish at the Islands of Thold (?), besides other places; the fish is exported to Spain, France, and other parts, and brings in 50,000*l.* yearly to the markets, the masts and timber for shipping, sent to Barbados and other of the Carib Islands, make profitable returns in barter, besides above 1,000 tons of logwood yearly fetched from the Bay of Campeachy. The maritime towns are well stored with mariners, fishermen, and carpenters; they build yearly several ships of good burthen, beside ketches and barques, and for these seven last years, *communibus annis*, they have launched 20 ships, some of 100 tons, and this year 30 were ordered to be set on the stocks by the merchants in England, who make their returns from hence in new shipping, but the wars have prevented that number, yet there are at Boston, Charlestown, Salisbury, and other places, above 12 building, some, he is informed, upwards of 160 tons. 3 *pp.* [*Col. Papers, Vol. XXXVII., No.* 7.]

June 20. Nevis. **954.** Governor Stapleton to Lords of Trade and Plantations. Has received their commands of 14th April last. The inquiries being numerous, require time. Returns thanks for their Lordships' favourable report of himself and two companies in St. Christopher's, but are as yet destitute of the effects of their care, and of the benefit of his Majesty's order for arrears and recruits. Acknowledges their Lordships' particular letter relating to a due observation of the Acts of Trade; encloses copy of the King's orders, and the Commissioners of Customs' directions about same. The Secretary keeps all bonds; by acts and custom of these islands there is a condition that the masters shall carry no person off without a ticket from the Governor; persons indebted, felons, servants, and negroes having often made their escape to the ruin of many. Has

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sent every year to the Commissioners of Her Majesty's Customs lists of the ships, masters, tonnage, and ports they belong to. Has often to go to the islands in small boats to his great cost and danger of life as lately to Antigua and Montserrat to settle "their distracted thoughts of deserting them (*sic*) islands through apprehension of Indians inroads by murders, rapes, &c." Asks for explanation of some points in the Acts of Trade. Has already sent map of St. Christopher's, but will endeavour to get another, and will get Antigua drawn, it is of greater difficulty than all the rest, being of larger extent and full of harbours, bays, and creeks. Has in most of his letters represented the importance of destroying the barbarous heathens, the Caribbee Indians, who in the war joined the French in the destruction of his Majesty's subjects, and have since murdered many in Antigua, and had done the same in Montserrat had he not, when particular Governor, secured two perriagoes of them fitted for mischief and landed. Truly the poor planters "in them two islands" are more destroyed by watching and warding for these heathens than by any other casualties, many catching malignant distempers on their guards. Has sent in a more authentic manner of supplication upon this matter under the respective Councils and Representatives hands, which he hopes in due time will be taken into serious consideration. *Encloses,*

954. I. Commissioners of Customs to the Governor of Nevis, St. Christopher's, Antigua, and Montserrat. Sends his Majesty's letter to him concerning the Acts of Trade and Proclamation prohibiting the importing into any place under his government European commodities which shall not be laden in England, Wales, or Berwick-upon-Tweed, for publication, and give him directions concerning same. Custom House, London, 1675, December 10.

954. II. The King to Governor Stapleton. The letter above referred to. Whitehall, 1675, December 1. *Together,* 6 *pp. Endorsed,* "Rec. 19 Aug. 1676." [*Col. Papers, Vol. XXXVII., Nos.* 8, 8 I., II.; *also Col. Entry Bk., Vol. XLVI., pp.* 128–132.]

June 20. Nevis. **955.** Governor Stapleton to Sir Robert Southwell. The hurricane time hinders the correspondence of the islands, so he cannot answer their Lordships' inquiries so soon as expected. Is afraid Lieutenant Greatbach's death may delay the soldiers' arrears if Captain Gorges, Captain Freeman, or his brother should be absent. Highly resents his Honor's kindness on this subject. If my Lord Treasurer knew the condition of the poor soldiers, and what dishonor it is to the nation to have two companies of soldiers barefooted and in a starving condition in sight of French and Dutch, does not question that his Lordship would with expedition pay their arrears. *Endorsed,* "Rec. 19 Aug. 1676." 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 9.]

June 20. Nevis. **956.** Governor Stapleton to Lords of Trade and Plantations. Wishes his Majesty's or their instructions as to whether the French who possess lands in the English part of St. Christopher's are

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obliged by the Articles of Breda to take the oath of fealty to his Majesty. On sight of any Dutch fleet they go in arms under the French Governor's commands, and do not say by your leave to his Deputy Governor. Confesses it is not "much material," for trust is equal to be put in them. Has but 2 cwt. of powder and guns ill mounted. Sends to Tortola for timber, as it is wanting in all the islands, except Antigua. *Endorsed,* "Rec. 19 Aug. 1676." 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 10, *and Col. Entry Bk., Vol. XLVI., pp.* 133, 134.]

June 22. Whitehall. **957.** Journal of the Lords of Trade and Plantations. Read letter from Lord Vaughan, dated 4th last April, concerning a ship with negroes, which had been arrested as interlopers, in the Court of Admiralty, and taken from that jurisdiction to the Common Law. Ordered that such extract be sent to Dr. Lloyd, Surrogate of the Court of Admiralty, to report the usage and law in England in like cases, and the Royal Company to have notice to attend some person to attend Dr. Lloyd to give the necessary information for the better understanding this business. [*Col. Entry Bk., Vol. CIV., p.* 148.]

June 23. Whitehall. **958.** Sir Philip Lloyd to Dr. Richard Lloyd, Surrogate of the Admiralty. Is commanded by the Lords of Trade and Plantation to send enclosed copy of part of a letter from Governor Lord Vaughan (*see ante, No.* 916). They think it strange that this cause of the ship with negroes should be so dismissed from the Admiralty there, and desire to be informed of the usage here in cases of this nature, therefore their Lordships request his report. The Deputy Governor of the Royal Company has notice, and presumes he will attend Dr. Lloyd to inform him of the circumstances. [*Col. Entry Bk., Vol. XXIX., p.* 55.]

June 24. Port Royal. **959.** Peter Beckford to Secretary Sir Joseph Williamson. Arrival of several ships from London and other parts. Our advices from New England tell us that the Indians still prevail much upon the English there, but not so many men, and are in want of provisions; King Philip hath not more than 50 men, but does great mischief. Not more than 2,000 of the Massachusetts in arms, yet the English have garrisoned all their towns, and have soldiers in all their out garrisons. Advice from New York that the New England men have great hopes, with the help of the Mohawks, to do some good upon their enemies. Advice from Curaçao of several Dutch men-of-war come into our parts, that they have taken several French privateers, and have made great advantage with their trade with the Spaniards. A Dutch fleet seen on the north side of Jamaica. One Pignier, an Englishman with a French commission near our Island, with considerable "purchase" taken from the Spaniards, but understanding they were all to be hanged if our Governor could lay hold of them, made their way for Tortugas, where they were assured of being better treated. The people of this Island much dissatisfied with the Royal Company, for they are not furnished with negroes as

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other plantations, so it has become a good trade to buy negroes of the Royal Company's factors in Barbadoes and ship them for Jamaica, buying them at 17*l.* per head and selling them at 24*l.* Advice that the Phœnix frigate, Captain Wright, has arrived at Barbadoes bound for Jamaica. Lord Vaughan has been kind to him to a degree. *Endorsed,* "per the Fortune, Thos. Wilkins." 1 *p., with seal.* [*Col. Papers, Vol. XXXVII., No.* 11.]

June 26. Jamaica. **960.** Governor Lord Vaughan to Lords of Trade and Plantations. Arrival of the Phœnix four days since with letters. Sent by the Foresight a new and very exact map of the Island. All their inquiries answered in his letter of 28th January last (*see ante, Nos.* 799, 800). Has taken care for the erecting and establishing the Naval Office, so that the Acts of Trade and Navigation be strictly observed, and sent to Commissioners of Customs list of all vessels that have entered into bond here since his arrival, and shall every six months transmit like accounts. Intends, if possible, to send the rolls of the Militia in his next. "Rec. 20 Aug. 1676." 2 *pp.* [*Col. Papers, Vol. XXXVII., No.* 12, *and Col. Entry Bk., Vol. XXIX., pp.* 90–92.]

June 27. Jamaica. **961.** Governor Lord Vaughan to Sir Robert Southwell. Has received his of 15th April by the Phœnix, and two from their Lordships. Hopes they are fully satisfied with what he has from time to time written to them. The most material of the new inquiries are answered in the state of the Government, and the letter sent with it. Thanks for his assurances of friendship. "Rec. 10 Sept. 1676." 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 13 *and Col. Entry Bk., Vol. XXIX., p.* 92.]

June ? **962.** "The Virginians' plea for opposing the Indians without the Governor's order humbly offered as the test of their utmost intentions to clear and vindicate them from all misapprehensions of disloyalty and disobedience." How Virginia has been overrun and almost depopulated by the Indians, the daily discovery of their designs, and the low condition of New England though much abler to oppose them, so we counted ourselves obliged to offer our services against them in the first place, having still so much English blood in us as to account it far more honourable to adventure our lives in opposing them to the last drop of our blood for the security of the Colony and all therein dear to us than to be sneakingly murdered by them in our beds, and to this end we made earnest addresses to the Governor to suppress these troublesome Indians, but he did not grant their request or give hopes of any considerable relief before the next meeting of the Grand Assembly. Between that submission which the Governors' command required of us on the one hand, and the self-preservation and opposition which against such a notorious, cruel, and declared enemy the law of nature and nations in our own and the country's defence allow and call for on the other hand. To prefer such a necessity before order where life and all was concerned, and where our very being lay at the stake, no other present help appearing for our relief, what flesh could endure this? To lie still till we were destroyed by these heathens or past

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recovery on pain of being accounted rebels and traitors if we opposed them sooner. "Oh, Heavens! what a sad delemma! what an intolerable remediless condition are we fallen into!" If not to lay down our arms and disperse at the Governor's command, shall be censured a mutiny or rebellion and disobedience, when on the other side to lay down our arms and not keep in a body till some further course were taken for our better defence had been against sense and reason to have exposed the lives and fortunes of ourselves and families to the merciless power of a most bloody and barbarous enemy, not to say how much worse condition this Colony might have been in should we wholly have forborne to stand in the gap at such a time as this. Declare that their taking up arms was purely intended to preserve our very being, and not to injure any person or to free ourselves by the sword from any pressures in government, much less to alter it as some would charge us most unjustly with. Submit themselves and all grievances to the King, the Governor, and Grand Assembly for redress as they see cause, and desire most gladly and zealously to approve their constant loyalty to the King and duty to their Governor, with their utter abhorrence of all mutiny and rebellion, or opposition to Governor, so humbly prostrate themselves at his Majesty's feet, and this their hard case and sad condition for his most compassionate consideration and relief. 2½ *pp. closely written.* [*Col. Papers, Vol. XXXVII., No.* 14.]

June ? **963.** Petition of Thomas Bacon to the King. That his only son Nathaniel Bacon in Virginia has been unhappily prevailed upon by the importunity of his distressed neighbours to lead them forth without the Governor's Commission, against their cruel and perfidious enemies the Indians, who had murdered divers of his family as well as others. Prays his Majesty's forgiveness for his son, and that he will admit his serious repentance and the manifestation of his innocent intentions and actings in every particular. *Encloses,*

963. I. Address of the Governor, Council, and Burgesses of Virginia to the King. In relation to the proceedings of Nathaniel Bacon who has fully manifested his intentions by effectual service and execution done upon the enemy, the forward proceedings of the people, though somewhat irregular in the method of their proceedings yet not in the matter which we since have found manifestly sincere and loyal, he was thereupon restored to the Governor's favour. Considering Bacon's activity, the forwardness of the people offering unanimously to be led by him against the implacable enemy, and being satisfied of his loyalty to the King, and good affection to this Government, the Council and Burgesses requested the Governor to issue a commission to Bacon to be General and Commander-in-Chief of the forces to be employed in this Indian war, which was done accordingly, and they are in great hopes shortly to give his Majesty an account of good execution done upon the Indians. *Together,* 4 *pp.* [*Col. Papers Vol. XXXVII., Nos.* 15, 15 I.]

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964. Phillip Ludwell to [Secretary Sir Joseph Williamson]. Account of the distressed condition of this poor country both from the Indians and the rebellious mutiny raised by Nathaniel Bacon, which has come "to that prodigious height that indeed I think no story either ancient or modern can out-do, blood only excepted." Has not yet been two days out of durance, where the Governor, Council, and Burgesses, with divers others were strictly kept by Bacon and about 500 of the scum of the country three days until he had obtained his most unreasonable and illegal demands. Relates the proceedings of the Assembly in March last to take the best means to destroy their Indian enemies by erecting forts at the head of each river until an army could be raised, but while this was in action, Bacon, "a man of little above one year's experience in the country," infused into the people the vast charge this would bring on them, and gathered about him a rabble of the basest sort, and with them began to stand at defiance against the Government. Being "pleasant and sympathetic with the humours," in an instant he infected almost every corner of the country. The Governor perceiving the disease to grow dangerous and by its spreading the cure difficult used all possible means to reclaim Bacon from his mutinous ways, but he still proceeded contrary to positive order and command. His first exploit was to seize two Indians who had always lived in friendship with the English, these he put to death with much horror and cruelty without examining their crime, and drove our neighbour friendly Indians away, who are as necessary to us as dogs to hunt wolves. Hardly 100 friendly Indians on all our borders, and at least 1,500 enemies who continually prey upon our frontier plantations. Bacon's march with about 300 to the Occaneeches who live on an island 150 miles from the falls of James River, the march of the Occaneeches and assault of a fort of the Susquehannahs which they destroyed, and brought back six Mannakin Indians and seven Indians prisoners and the plunder to Bacon who tortured the prisoners to death. Dispute between Persicles, King of the Occanceches, and Bacon as to division of the plunder, which ended in a fight in which Persicles and 40 or 50 of his Indians were killed, and 16 or 17 of Bacon's men. Bacon then made a hasty retreat, and on his return the Governor again ordered him to lay down his arms, and then was forced to publicly declare him a rebel; but Bacon with 40 armed men came to the Court House and commanded the Sheriff to forbear publishing the Governor's declaration, threatening him terribly if he proceeded, and being the day of election of Burgesses, Bacon was by his ruling party chosen a burgess. On 5th June the Assembly were to meet at James City, and the next day Bacon came down the river in a sloop with about 50 armed men and in the night landed at Sandy Bay, half-a-mile off, where he held a private conference with one Lawrence and one Drummond about three hours and then went to their boats. But they were discovered; an alarm was given and armed boats sent in pursuit, and about three in the afternoon Bacon was taken and brought to town with his men, who were kept guarded, but Bacon released on his parole. After which in open Court he made a full and free submission to the Government, and engaged his honour

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and estate never to do the like, but to use his utmost endeavours to allay the commotions. He was again sworn of the Council and promised a Commission to raise volunteers against the Indians, but instead of performing his obligations he raised new and heightened the old commotions, got at several places about 500 men, "whose fortunes and inclinations were equally desperate," and with these marched towards the town, which on 23rd June he entered, there being no force to resist him, and drew up his men before the State House, where the Governor, Council, and Burgesses were sitting. After sending out his guards to secure all parts, the Governor sent two of the Council to know what they came for, Bacon replied for a Commission; account of what took place, his refusing the Governor's Commission to be "Commander-in-Chief of all the volunteer soldiers to go against the Indians" and his demand to be "General of all the forces in Virginia against the Indians," the Governor's reply that he would rather have both his hands cut off than grant such a Commission, and challenge to Bacon to decide the controversy with the sword; Bacon's refusal and threats to the Burgesses in the State House where 100 guns ready cocked were presented at them, saying that he would pull down the house and have their blood, with such dreadful new coined oaths "as if he thought God was delighted with his ingenuity in that kind." The House demanded a little respite, and supplicated the Governor to grant the commission in Bacon's form, which was done, and other propositions and demands, very hard ones, were granted, having upon us the expectation of having all our throats cut and the fear of the Indians. The laws of Assembly were sent out to the people to be read, but they rose up like a swarm of bees and swore they would hear no laws nor have any but what they pleased. On Sunday 25th June news came that the Indians had murdered eight of our people, in two places. The Governor sent to call the House together, and desired Sir Henry Chicheley to see Bacon and demand what he intended, that either he should march away to secure the people from the Indians or suffer us to go to our respective countries that a force might be immediately raised to suppress these Indians. The Assembly was then dissolved, but Bacon refused to let the Governor go home to see his family until the next morning, when Bacon marched out of town, "by which all were released from their durance." They have marched to where the last mischief was done, but doubts not they will soon hear of him again. Entreats him to be as he doubts not these agents will be a mediator to the King for this poor languishing country. 6 *pp. Closely written. Endorsed by Williamson,* "Rec. 3 Sept." [*Col. Papers, Vol. XXXVII., No.* 16.]

June 28. James City, Virginia.

965. William Sherwood to [Secretary Williamson]. Refers to his letter of the 1st instant (*see ante, No.* 939), and thinks it his duty to give a more ample account of the sad condition of this poor and languishing country, through the Indians on the one hand, and far more by the rebellions and outrages of the common people. Ordered by the Assembly that 500 men should immediately be raised for security of the Frontier Plantations, and to join with

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others when necessary. But Bacon dissuaded the people from submitting to the laws, giving out he would ease them of their levies. The Assembly "of 14 years continuance" dissolved, and in the new elections on 5th instant Bacon was elected Burgess for Henrico county. An armed force sent to compel his submission, but upon his promise not to head any faction he was set at liberty and promised a Commission. Relation of his marching to James City with at least 400 foot, "the scum of the country," and 120 horse, and intimidating the Governor, Council, and Assembly to grant him an immediate Commission as General of all volunteers against the Indians, and to consent to other matters which the Governor, after seeing him and offering to "decide this controversy by their swords," gave way to "for the prevention of the effusion of Christian blood." At the request of the Burgesses, and on the 24th instant, this "forced Commission" was delivered to Bacon, and Captain Gardner was secured by his soldiers. Bacon's entry into the House of Burgesses with his guard and his demands requiring an Act of Indemnity, and the Governor's letter to the King justifying his proceedings, which was done. "Now tag, rag, and bobtail carry a high hand, a guard is set upon the Governor, and the rabble are appointing new councillors." News of fresh murders by the Indians at the head of Chickahomony and New Kent, from whence most of this rabble came, within forty miles of James City, caused a sudden alarm, the Governor sent to Bacon to permit him and the Burgesses to return to their homes for defence against the Indians, which "caused a sooner riddance than otherwise would have been made, and on Monday morning 26th June Bacon with his men marched out of town," but when he intends out against the Indians is not yet known. 4 *pp. This is a very similar account to Philip Ludwell's in the preceding letter.* [*Col. Papers, Vol. XXXVII., No.* 17.]

June 29. Whitehall. **966.** Journal of Committee of Trade and Plantations. Ordered that letter be written to Dr. Lloyd to hasten his report about the ship with negroes at Jamaica which had been dismissed the Admiralty there, and Dr. Lloyd to attend at their Lordships' next meeting. Ordered that the African Company return their answer in writing to the clause of the grievances represented to his Majesty from Barbadoes about negroes mentioned in a letter from Sir Jonathan Atkins of 3/13 February last, of which they had long since an extract. Paper read about passes for ships going to Newfoundland, and the Commissioners of Customs to write to all ports in England from whence ships go for Newfoundland for an account of those gone thence, at what time, and their burthens; and further to return their opinions how a regulation may be made for passes for such ships in order to prevent all deceit in this matter. [*Col. Entry Bk., Vol. CIV., p.* 152.]

June 29. Jamaica. **967.** Governor Lord Vaughan to Sir Robert Southwell. Sends duplicate letter to the Lords Commissioners of Appeal concerning

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Captain Gollop's prize. Longs to hear if his large packets and letters and the map have arrived safely and are approved. Will send one of this town and harbour, being well done, and worth their Lordships' view. Advice of a Dutch squadron come into the Indies under Jacob Binckes, that they had already taken Cayenne, Marigalante, and St. Martin's, and expected recruits from Holland to meet them at Tobago, when they will attack the French Caribbees. Fight about three weeks since of a fleet of Dutch privateers, under command of Captain Mesallman, assisted by two States' ships, with the French, who drew their ships into the form of a half moon and fought well, but the great cannon of the States' ships tore them miserably, so that at last they were all sunk, burnt, or taken, with the loss of near 500 men. There were 11 Dutch ships and 14 French, including the Barrière of France, 40 guns, and three others of 34, 26, and 18 guns. Hopes Sir John Griffith solicits about their laws. "Rec. 30 Aug. 1676 by Capt. Stubbs of the Hannah." [*Col. Papers, Vol. XXXVII., No.* 18, *and Col. Entry Bk., Vol. XXIX., pp.* 92, 93.]

1675 June and 1676 June. **968.** The public account of the impost of 2*s.* per hogshead upon tobacco exported from Virginia. The payments include the Governor's salary paid by the King's instructions, 1,000*l.* a year, besides 200*l.* paid by order of the Assembly in lieu of 10*s.* per hogshead, the salaries of the Councillors, 200*l.* besides 50*l.* to those who attend the Assembly, and to Sir Henry Chicheley by order of the Assembly 100*l.* The "collections" are, for the year 1675, 23,036 hogsheads of tobacco, amounting to 2,539*l.* 6*s.* 2½*d.*, and for the year 1676, 25,135 hogsheads, amounting to 2,781*l.* 18*s.* 4*d.* *Two copies* (of 1676) certified by Robert Beverley, Clerk of the Assembly. [*Col. Papers, Vol. XXXVII., Nos.* 19, 20, *and Col. Entry Bk., Vol. LXXX., pp.* 165—171.]

? July. **969.** Bacon's appeal to the people of Accomack. "Of part of our victory and the misery of your own and Sir Wm. Berkeley's condition yourselves are judges how unjust your cause was, how unheard of his and your manner of proceeding against your neighbours and friends to invade this poor colony . . . for hopes of plunder . . . how you have been deluded and gulled by that abominable juggler, whose cheats and base actions you are all acquainted with, and whose oppressions you have a long time groaned under." What Bacon has done has been in defence of his Majesty's interest (by a power derived from his Majesty) being a Commission signed by Sir W. Berkeley at the request of the Assembly, and ratified by an Act of Assembly, so that no reasonable man can imagine compulsion otherwise than a ridiculous evasion. In taxing Bacon contrary to the tenor of his Commission Berkeley taxeth himself of treason, for it is not to be supposed his Majesty would trust either a coward or a fool, so it follows if Bacon's Commission were granted for reasonable grounds then this complaint against us is unjust and abominable, or if I were what he pretends, he at once confesses himself both a coward and a traitor, which he very well knows, and it is on that score by his folly and

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passion that he hath involved himself and this poor Colony in such a labyrinth of ruin that he well knows he never can answer what he has done before his Majesty, who must needs count him unfit to be Governor who neither had the principle to do what was just nor the courage to oppose what was unjust. Invites them within fifteen days after the arrival of this paper to send discreet persons to make satisfaction for our losses sustained by your piracies, and to deliver up the ringleaders to be sent into England, there to have their trial, that is Custis, Stringer, Foxcraft, Littleton, and to send back what persons of Bacon's party are there detained as prisoners, then that the Colony may not be ruined by their rashness he will rather treat with them as brothers and friends, and endeavour that their sad differences may be composed. If through the seducement of that abominable juggler Sir ——— they deny this, appeals to themselves if they can justly blame Bacon if he prosecute them with all extremity of war to the utmost of his powers. [*Col. Entry Bk., Vol. LXXXI., pp.* 254–263.]

July 1. **970.** Commission from the Lords Proprietors of the Bahama Islands to Charles Chillingworth. Appointing him during pleasure Governor and Commander-in-Chief of the Bahama Islands. [*Col. Entry Bk., Vol. XX., p.* 108.]

July 1. **971.** Instructions to Charles Chillingworth, Governor of New Providence and the rest of the Bahama Islands. To fill up the Council from time to time with Councillors chosen by the Parliament equal to the number of their Lordships' deputies. To prepare bills for the Parliament, for there is nothing to be debated or voted in Parliament but what is proposed by the Council. Prohibition to cut braziletto, cedar, or other wood except on his own plantation unless licensed by the Governor and three deputies. Also to go coasting for ambergris, whalefishing or wrecks without license. To persuade the people to plant provisions and clear the ground for cattle and planting tobacco, indigo, and specially cotton. To prepare a bill for the preservation of turtle if necessary. [*Col. Entry Bk., Vol. XX., pp.* 109–111.]

July 4. **972.** Report of Dr. Lloyd to Lords of Trade and Plantations concerning the interloping ship in Jamaica laden with negroes which after seizure was dismissed the Court of Admiralty there. Recites the King's patent to the Royal Company, and his Proclamation prohibiting any to exercise their trade, the seizure of the ship and the proceedings at the trial in Jamaica. To make it apppear to their Lordships that the Judges of the Admiralty ought not to have admitted the pleas. 1. The Judge of the Admiralty Court in England would not have dismissed a cause of this nature but would have proceeded until final sentence. 2. That the place where said ship was seized, granting it was within three-quarters of a mile of Old Harbour and within all the "Kays," was on the sea, there being no river at all and therefore within the jurisdiction of the Admiralty. 3. Conceives it is not in the power of the Governor, Council, and Assembly of Jamaica by any Act of theirs for dividing the Island

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into parishes to make the high sea part of a parish, much less to deprive the Lord Admiral of his jurisdiction, therefore the Act of 26th April 1675 cannot be of force to take away or lessen the Admiral's jurisdiction granted to his Royal Highness by patent. Also that the Statutes of 13 and 15 Richard II., and 2 Henry IV. being made for England are not law in Jamaica, except his Majesty has declared them so to be. And whether his Majesty's subjects of Jamaica ought to arraign his royal charter as a monopoly, and what course should be taken to give the Royal Company satisfaction and prevent such proceedings in the future. *Endorsed,* "Read at the Committee, 6 July 1676." 3 *pp.* [*Col. Papers, Vol. XXXVII., No.* 21 ; *also Col. Entry Bk., Vol. XXIX., pp.* 56–60.]

July $\frac{4}{14}$. Barbadoes.

973. Governor Sir Jonathan Atkins to the Lords of Trade and Plantations. Acknowledges the receipt of their letter of 11th August last. Reasons for addressing his letters to the Secretaries of State which was agreeable to his former practise in three other Governments wherein his Majesty employed him. Did not receive their said letter till the December following. In obedience to their commands has given a summary account of this place since his arrival to the best of his knowledge and skill. The great difficulties of correspondence with this place from the distance from England, "besides accidents." We esteem it a quick dispatch of our letters if our returns are within six months, often eight months ; at the time of hurricanes we have no ships here for five months. Answers to their Lordships' enquiries. 1. The Council consists of twelve of the principal or so esteemed of the Island whose names are inserted in his Commission with so strict rules of changing or renewing that they seem rather to be ordained to be his Governors than he their Governor. Gave reasons against some part of his Commission and Instructions, but they were not taken notice of. The people conform to him in all things just and no dispute hath yet arisen amongst them. The Assembly consists of two-and-twenty, two being chosen from every parish elected by freeholders who must have ten acres a-piece. When a law has three times passed the House, and the Governor and Council approve it, he sets the King's stamp upon it and then it becomes a law, and the next Sunday it is published in the churches, and this the people call their birthright derived from the King's patent to the Earl of Carlisle, but his Majesty reserves to himself the confirming these laws after two years. There are five Courts of Judicature in the five districts of the Island all called Courts of Common Pleas, trials by Jury as in England, proceedings almost the same intermingled with the local laws and customs so necessary that few things can be determined without them. There is a Judge of every Court with three assistants, their commissions under the King's seal of the Island with no profit or salary. The Governor and Council make a Court of King's Bench where writs of error are judged. The Governor is Chancellor and calls to his assistance as many of the Council as he thinks fit, and two Masters of Chancery by whom causes are heard according to equity. Wills are proved before the Governor for which he receives not one shilling. The places of benefit are

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disposed of by patents in England and acted by deputies to the great discontent of the people who have received much damage by the loss concealment and embezzling of the records. 2. The Court of Admiralty is held by commission from the Duke of York as Admiral of these parts; the Duke told him he should have commission from none but himself and appointed him Vice-Admiral in the Caribbee Islands, and to erect a Court of Admiralty over which he is compelled to preside, there being no profit nor anything but trouble, the business is not very great. 3. Their third query is answered in the first. 4. The laws are numerous and the proceedings upon them for the most part according to the laws of England. They have Justices of the Peace, Constables, Churchwardens, Overseers of the Poor, and other local sworn officers as in England. The prosecution of their laws lay formerly in a small compass till some little English lawyers crept over and brought writs of error and other dilatory pleas to increase their own estates but to the ruin of many particulars. Then the Clerks of Courts followed example. At last it was presented by the people as a grievance, and a Select Committee of the Council and Assembly has been appointed to regulate the laws and cashier those that are useless, and regulate proceedings in the Courts of Justice, and appoint proportionable fees. 5. The standing Militia consists of two regiments of horse, for the most part well armed, and six regiments of foot. Can likewise upon any sudden occasion raise 2,000 dragoons. There is likewise the lifeguard, usually about eighty horse, all gentlemen and merchants of the best quality, and upon alarms at least 200 horse. There are none in the King's pay. The whole may amount to ten thousand horse, foot, and dragoons; there was formerly a great number, when whites alone were made use of for plantations and not negroes, who much exceed the whites in number. A considerable number were carried off on the first expedition to Hispaniola, many since gone to Jamaica, and great numbers to plant Surinam, Antigua, and St. Lucia, many lost in endeavouring to recover the Leeward lost islands taken by the French and Dutch, and not a few lost when my lord perished himself. 6. No fortification or regular works, nor any castle or place of strength, nor so much as a house for the Governor to put his head in. Their strength is in their situation and the hands they can bring to fight. Their landing-places are only bays, for they have no harbours, though very good ones might be made to defend their chief road before the town of St. Michael's, or, more commonly called, Bridge Town. Four considerable batteries, erroneously called forts, with forty guns, ten guns, thirteen guns, and twenty guns respectively. At Oyster Bay or Bridge Town are batteries of twenty-five guns, besides others to the Leeward. Reasons why they distinguish the Island by Windward and Leeward. The supply of stores and ammunition for defence left to the General. 7. Never saw or heard of any pirates. A few privateers come this way whose prey is on the Spanish coast; sometimes a little rogue creeps in here for wood, water, or fresh provisions, who, not able to bear up with those Alexanders of Hispaniola, lies sneaking about the Dutch plantation of Surinam,

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and sometimes bears down to Curaçoa, where if he can light upon anything he can grapple with he either carries it down to Jamaica or to their own quarters at Hispaniola. 8. It is a very hard question to answer what force our neighbours have. The French are possessed of the islands of Martinique, Guadaloupe, great part of St. Christopher's, Marigalante, Cayenne, and some other small islands. That their strength is very considerable appears by the resistance they made last year to an attack by the Dutch, and what they did during the last war, taking several places from us in these parts. The French King keeps a squadron of seven frigates to attend these his plantations, and they are relieved every year. Commerce with them we can have none. "None can resolve me" the strength of the Indians, and by the late attempt of Colonel Warner all correspondence with them is taken from us by the death of Indian Warner. Report of French proceedings on Dominica when Colonel Warner landed there. 9. The correspondence kept up with their neighbours; has been forced to complain of M. de Baas for confiscating a ship put in by stress of weather; has transferred the particulars to Secretary Coventry. 10. Found no arms or ammunition on the King's account nor any sent since; the stores are subject to the King's commands, but are the people's own purchase. When he delivered their Lordships' order to deliver him 350 barrels of powder and other stores to the value of 6,000*l.*, the Master of the Ordnance said he must give security, to which he replied he would by way of indenture to be accountable to his Majesty as when he was Governor of Guernsey. Found in the stores 400 barrels of powder and a good quantity of ammunition and other stores; every ship arriving pays one pound of powder. 11. Never received any of the King's money by appointment; the levies of the country made according to emergency, upon lands, negroes, coppers, and stills, at so many pounds of sugar. 12. Barbadoes is computed to be 30 miles in length and 14 in breadth. Is confident that there is not a foot of land in Barbadoes that is not employed even to the very seaside and the proprietary settled long ago by Lord Carlisle and his agents, so that whoever will have land in Barbadoes must pay dearer for it than for land in England. 13. St. Michael's commonly called Bridge Town, is the chief town for trade and shipping; it has within a few years been twice burnt down but is rebuilt with very fair houses, some of brick but most of stone, and handsome streets. Spikes Bay is the next considerable town ten miles to leeward. The Hole Bay is a convenient place for shipping sugar from the adjacent plantations; this was the first town built and both these towns and their churches "were all layd flat with the ground" by the last hurricane, but are rebuilding, though meanly, the people being almost ruined by that prodigious storm. 14. The parishes are eleven, the precincts five, distinguished according to the five courts of Judicature. 15. There is no river deserving that name, but many springs, most part of the Island being very well watered; the best water is by the seaside, the springs being washed over by the sea every tide. Ships ride in the bay from 16 to 40 fathom; the ground is very foul; half-a-mile from the shore you can find no bottom, which makes the

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southern and south-west winds raise such mighty seas when a hurricane comes. 16. The commodities are sugars, cotton, ginger, and indigo, no manufactures; impossible to say the value of imports or exports, for no man will discover his estate and there are the same jealousies as in England; can find no way to compute it but by the customs which are mostly paid in England or accounted for by the farmers of the 4½ per cent. who will hardly be induced to do it. No wood or shipping. Imports are from England and Ireland from whence customs certificates are brought which are registered in the Naval Office here and bonds given for return to England. 17. No saltpetre or other mines. There is a kind of "metal" much resembling "cannel coal" in Lancashire, called Moniack, with which sugar is boiled; it resembles pitch and is also made use of to trim boats; with the springs and the sun a scum is made called tar, which is very medicinal some say for the gout, and is certainly very penetrative and a remedy against all sorts of aches. 18. If their Lordships mean merchants as the Dutch call them, which is every man that sells and buys who is called a copeman, there are many, but if meant such as trade and barter commodities, there are not now many. Account of the making of sugars and the works from the first, which required a great charge so that no man was able to do it of his own purse but was compelled to take up at great rates of interest, and merchants upon that account carried off great estates from the Island, it being the surest trade for profit in the world, to the ruin of many of the people, but finding, in course of time, their industry produced no other effect than to satisfy the appetites of the merchants, the more prudent began to trade for themselves, which in time obtained an influence, and they will in a short time pay their debts and be for ever kept out of that trap. For these reasons the merchants are now very few. Not above thirty Jew families of Dutch extraction from Brazil; many are very poor, but the better sort have been made denizens; they are very quiet and submit to the Government, religion excepted. The chief trade inwards is for provisions from England and Ireland, and the King's Plantations, who pay customs from their first port. 19. 'Tis impossible for him who has only been here a year and a half to say what was done here seven years ago, but neither English, Scotch, nor Irish can come to plant here there being no ground to plant upon. Believes not 2,500 blacks brought since he came; if three times as many had been brought they might have been sold, as they did at their own rates, for they that can stop the market when they please may make the market when they please. 20. No record of the number of blacks, mulattoes, or whites that have been christened the last seven years; a register has lately been kept of Christian burials and christenings in the Church of England. As to Anabaptists, Jews, Quakers, and other separatists they will bury where they please, and observe the rules they list. The negroes bury one another in the ground of the plantation where they die, not without ceremonies of their own. 21. As to marriages, for seven years past finds no rule to guide him, or any living to inform him, all who conform to the Church of England are either married by license or are asked three times in Church,

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"which will bring it soon into form." 22. No bills of mortality or register kept of the dead; a great mortality swept away a great number, especially in Bridge Town, but there is an order to record burials as well as christenings. 23. Is sure no merchant will tell him or anybody else what he is worth, for his chief guard is his credit, but has observed amongst those merchants who living were esteemed rich men but dying either their factors run away with their estates or their wives that little was left for their creditors but bad debts. No one can compute the wealth of the Island as no one can know their debts. Very considerable plantations in the Island, some belonging to gentlemen who remain here, and some to merchants who go away, but 'tis much altered from what it was; cannot reckon five estates in the Island that are not clogged with considerable debts, which in time will be worked off. 24. About 150 sail come to the Island every year from 20 to 300 tons. Trade from England, Ireland, Virginia, New York, New England, and adjacent Plantations, all shipped from hence goes to England. When bond is not given the rest goes to the Plantations in return for peas, pork, fish, flour, and other provisions, for which they carry back very little sugars, rum, and a kind of spirit extracted from the refuse of sugar of molasses. There may be sixty sloops belonging to this place, one lately come from New England built by a planter of about 200 tons. One half of the year there is little use of shipping, and thinks this is the first ship of burthen they were ever masters of. 25. No likelihood of any plantations upon Dominica, St. Vincent, St. Lucia, and Tobago; all the English plantations lie under great discouragements and little hope of any new, the maintaining of the old being almost grown desperate. Gives a long account of the "resolutions" of Francis Lord Willoughby, "a gentleman of a stirring spirit," of beginning new plantations, and what he attempted to do upon "the firm land" of Surinam, and the islands of Antigua and St. Lucia, "too much for any one man's undertaking, though he had been a prince considerable." Argues that for the first Surinam had been a proper place for his design if he could have procured a colony of 20,000 or 30,000 persons "of some excrescent nation that were to wander to some other country for a fortune, because their own could not contain them or we feed them," but to think to plant these places from the small Caribbee islands, who wanted people themselves, were measures very ill taken, and a policy as ill-grounded as appears by the consequences. Money, as well as men, requisite to establish new settlements. Shows how Lord Willoughby was compelled to mortgage and sell his lands in England "to manage these fruitless designs," which cost him 50,000*l.*, and his misfortunes and what followed; that the Dutch took Surinam, the French Antigua, and he carried 1,000 people from Barbadoes to St. Lucia, where they were discouraged and died, very few, if any, returning. Likewise, the King, engaged in point of honour, was forced at great charge to send a fleet and a regiment for defence of those islands, and Lord Willoughby having prevailed with the people to engage with him in his expedition to St. Christopher's, both he and they perished, and the King's fleet and soldiers came to little better

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reckoning. There is one thing more their Lordships may admit as a maxim, that wheresoever you intend to plant a new colony you must make their port a free port for all people to trade with them that will come. The settlement of this Island came first from the Dutch, and they are a people the planter is not jealous of. Conceives the ordinary way taken for new plantations to be a little erroneous, for if it be by societies of noblemen, gentlemen, and merchants, the two first will commonly venture no more than they will throw away at dice or cards; the merchants do it in hopes of extraordinary gain; but if returns come not in the gentleman grows suspicious, the merchant grows "restie," and the people employed upon the place will make the best use of their time; but when the machine fails that supplies the people with provisions, utensils, &c., the engine must needs stand still, but if the bucket goes into the well the rope must needs go with it. 26. This is a very binding article, "What obstructions I find in the improvement of trade and navigation in the islands under my government? The last words signify to me your demand of me as the King's Governor by a Commission of much largeness and great trust being thus far removed from usually knowing his Majesty's pleasure, I am entrusted with his sovereign power, with his honour, his people, safety, and propriety." Reasons why the Act of Trade and Navigation in England will certainly in time be the ruin of all his Majesty's plantations. Who is the loser? His Majesty and his poor subjects who labour for him. The King's customs would be considerably advanced, and the risks of the seas prevented, if customs of all sorts were paid here according to the rates in England, and their goods allowed to be carried where they may make their best market, not making use of any but English ships; no foreign ships are ever permitted to come to this port. Last year the King lost (in customs) above 2,000*l.* by the loss of four ships going home, and others lost in the hurricane. Esteems it his duty to deliver this for their Lordships' consideration. 27. Answered in the last. 28. But little customs outward paid here to officers appointed by Commissioners of Customs in England. 29. The King's revenue is the 4½ per cent. of the produce of this Island farmed to gentlemen in England. There is no land revenue, the Earl of Carlisle, Lord Hay and agent having disposed of all lands long ago. 30. As to religion, there are Jews, Anabaptists, and Quakers, but none considerable, the last the most troublesome, as being the most repugnant to all laws and orders. 31. The generality serve God according to the established Church; there are 11 parishes all supplied with ministers. The churches are well frequented, and the sacraments celebrated every Sunday, when the whole liturgy is read and then a sermon; in the afternoon, evening prayers are read and the children catechized. The ministers are honestly provided for by the parish, also the impotent poor by a tax in every parish; these charges are very great, and must increase, many churches having to be rebuilt. The tax on Bridge Town is above 1,000*l.* sterling this year. No wanderers or vagabonds suffered, and is confident there is not less debauchery and disorder in any part of his Majesty's dominions. 32. To

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describe the hurricane is impossible; it is a mutiny or contention of the winds issuing from all quarters, accompanied with such vehement rains that one washes the way upon the buildings for the other to ruin them, which was performed with such violence that most of the churches were thrown down to the ground, and most of the houses leeward, 15 mills of stone and wood demolished in one parish, and all sugars spoilt. In brief, 200,000*l.* will not repair damages, besides 200 people killed, and many great trees broken off in the middle. Fair hopes of a good crop next year. If the people might have a free trade or be eased of the 4½ per cent. for some time it would be a great encouragement to them. 16 *pp.* [*Col. Papers, Vol. XXXVII., No.* 22.]

July $\frac{4}{14}$. **974.** Two copies of the preceding. 33 *pp.* and 34 *pp.* [*Col. Papers, Vol. XXXVII., No.* 23, *and Col. Entry Bk., Vol. VI., pp.* 57–91.]

July 6. Whitehall. **975.** Journal of the Lords of Trade and Plantations. Letter read from Commissioners of Customs about passes for ships going for Newfoundland, wherein they inform their Lordships they have written to all ports that trade to Newfoundland for a list of the ships gone thither this year, and give their opinion that no rule can be made in relation to passes without giving occasion of frauds and abuses for the reasons stated which their Lordships approve and order all things to be regulated accordingly. Four cases of John Day of Bideford, who desires passes for ships going, to be strictly examined. [*Col. Entry Bk., Vol. CIV., pp.* 153, 154.]

July 6. Whitehall. **976.** Journal of the Lords of Trade and Plantations. The Lord Privy Seal presents a letter he had received from Lord Vaughan, dated 3rd May (*see ante, No.* 916), touching the condemnation of Deane the pirate, with exemplification of his proceeding in the Admiralty. Ordered, that all papers relating to this matter be sent to the Judge of the Admiralty, who is to report his opinion. The report of Dr. Lloyd read (*see ante, No.* 972) concerning the interloping ship at Jamaica laden with negroes, which, after seizure and being libelled against in the Admiralty, was dismissed that Court. Ordered, that this business be "re-assumed" on Thursday next (13th July) when my Lord Chancellor is prayed to be present with the King's Counsel and Dr. Lloyd, to bring copy of the Lord Admiral's patent that the Lords may see how far the jurisdiction of the Admiralty does extend itself, and consider whether the trial of this ship removed from the Admiralty to the Common Law can be justified on pretence that his Majesty's grant to the Royal Company is a monopoly, or that said ship was not seized *super altum mare*, but in the port of old harbour, in the parish of St. Dorothy, *infra corpus comitatus*, according to a late Act of Jamaica preceding this late touching the bounds of parishes where a tract of water is made part of the parish of St. Dorothy, and therefore not of the proper cognizance of the Court of Admiralty by reason of the Statute 15 Richard II. cap. 3. [*Col. Entry Bk., Vol. CIV., pp.* 154–156.]

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July 6. [Rec.] **977.** Complaint and request of the people called Quakers to the Lords of Trade and Plantations. Concerning a new Act made against them in Barbadoes, that the King would be pleased to put a stop to the execution of said Act, or at least give order for the suspension of it until further consideration. *Annexed,*

977. I. An Act to prevent the people called Quakers from bringing negroes to their meetings, passed 19th April 1676.

977. II. Copy of said Act with exceptions made by Counsel against the Act. *Endorsed,* "Rec. 6 July 1676, not allowed to be read." On 27th July this petition was presented to the Lords of Trade and Plantations. Whereupon their Lordships refuse to take immediate cognizance of complaints brought to them by this sort of people, and order their petition to be returned to them, to the end that thay may apply themselves to his Majesty in Council if they think fit. [*Col. Papers, Vol. XXXVII., No.* 24*; also Col. Entry Bk., Vol. CIV., p.* 184.]

July 6. [Rec.] **978.** Answer of the Royal African Company to the complaint of the Council and Assembly of Barbadoes about negroes. *Signed by* Andrew King, Sub-Governor, and Gabriel Roberts, Deputy Governor. *Endorsed,* "Read 26th and 31st Oct. 1676," *see these dates. See Abstract, ante No.* 911. 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 25.]

July 6 to Aug. 25. **979.** Four Warrants from Colonel Thomas Ballard for pressing men and provisions for Nathaniel Bacon's service. *Endorsed,* The several warrants bear date 6th July, 10th July, 18th August, and 25th August 1676, which was near a month after Sir William Berkeley left his house. Young was hanged for executing these warrants and commanding the Company, which he was compelled to by Colonel Ballard, Colonel of the County. 4 *pp.* [*Col. Papers, Vol. XXXVII., No.* 26.]

July 8. Virginia. **980.** Giles Bland to Thomas Povey at his house in Lincoln's Inn Fields, next door to the Earl of Northampton's. The country has resolved to make known to his Majesty their deplorable and distressed condition, through the great and heavy burthens and taxes laid upon them, and the continual murders committed by the heathens, whereby the greatest part of the Colony is deserted. Sends remonstrance which has gone through the several counties to be signed, which when finished he intends to embark for England, being desired to supplicate for a stop to be put to what appears prejudicial to the country's interest. Hopes to arrive as soon as this, for he waits only for money. *Encloses,*

980. I. Remonstrance of the inhabitants of [*blank*] county. Appointing Giles Bland their agent in England to supplicate his Majesty on behalf of us his poor distressed subjects, and promising to pay all expenses. 2 *pp. Endorsed,* "Rec. Aug. 28." [*Col. Papers, Vol. XXXVII., Nos.* 27, 27 I.]

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July 10. Whitehall.

981. Journal of the Lords of Trade and Plantations. It is thought fit to report to his Majesty next Council day that whereas no certain rule can be made in relation to Newfoundland passes without opening a door to many frauds and abuses, their Lordships propose that the respective cases as they arise be examined by the Commissioners of Customs, and upon their inquiry and attestation passes be granted by the Lords of the Admiralty on giving bond the pass is applied to no other ship but returned at the end of the voyage. [*Col. Entry Bk., Vol. CIV., p.* 158.]

July 10. New York.

982. Sarah Winder to John Lewin and Robert Woolley. Keeps a distinct account of what came by the Robert and Anthony, and promises returns as fast as she can. Is sensible of their kindness in furnishing Mr. Winder with part of the cargo. Her whole care is to satisfy her debts, so has ordered payment of 171*l.*, after deducting Mr. Ward's. 2 *pp. Endorsed,* "Read 4 March 1680." [*Col. Papers, Vol. XXXVII., No.* 28.]

July 11. Whitehall.

983. Journal of the Lords of Trade and Plantations. Account of money due to Sir Robert Southwell, one of the clerks of the Council, for disbursements, from December 1674 to June 1676, viz.:—

[*Extracts*]:—	£	*s.*	*d.*
Paid Mr. Slingesby for copies of two grants to Connecticut and Rhode Island, as he had paid for them at the Rolls, being 126 sheets	6	9	0
Paid Mr. Slingesby for a map of Newfoundland in vellum	1	5	6
To Mr. Seller [hydrographer to the King], for a large chart, in 16 sheets, of the maritime coast of America	1	10	0
Also for a chart of the West Indies	0	15	0
For a Mercator's map of the West Indies	0	12	0
For a map or his Majesty's dominions in America	0	12	0
For a map of Virginia, &c.	0	6	0
Mr. Ogilby's History of America, in folio	2	5	0
Ligon's History of Barbados	0	5	0
Hakluyt's Relation of the West Indies	0	10	0
Déscription de l'Amerique, 2 vols.	0	7	0
Smith's Voyages	0	5	0
Natural History of the West Indies	0	4	0
Papers of Carolina and New England	0	3	6

[*Col. Entry Bk., Vol. CIV., pp.* 162, 163.]

July 11. Jamaica.

984. Governor Vaughan to Sir Robert Southwell. Sends duplicate of his last letter to the Lords. Finds his Majesty and their Lordships have been misinformed in Gollop's case, but the business will fall into his hands. News of a Dutch fleet of 24 men-of-war, Jacob Binkes, Admiral, Peter Constant, Vice-Admiral, come into the Indies. They intend first to attack Cayenne, and so take all the French islands in their way until they come to

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Tortugas and the coast of Hispaniola. Will send by next ships divers bills of lading and other papers relating to Gollop's prize. Their Lordships' letter has been six months coming to him, asks him to inquire into the reasons of the delay. "Rec. 10 Oct. 1676, by Capt. Gatling." 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 29.]

July 11-12. **985.** Journal of Assembly of Barbadoes. Ordered that the Treasurer pay to Colonel William Sharpe and Colonel Richard Guy, for account of Colonel Timothy Thornhill and Colonel Richard Hawkins, 130*l.* 11*s.* sterling, for 746 feet of mastick timber, at the rate of 3*s.* 6*d.* a foot, for the country's use. Ordered on petition of Captain Edward Ditty that he be credited on account of excise for fifteen pipes of Madeira wine, turned sour. An Act for better enabling the executors of William Plumley, deceased, to sell his estate; also an Act to prevent frauds and concealments in payment of excise, passed.

July 12. An Act for securing the possession of negroes passed. Ordered that the Treasurer pay Francis Seaton certain sums on account of the trial of negroes upon their intended rebellion. An Act to prevent inconveniences upon the inhabitants of this Island by forestallers, ingrossers, and regrators, passed. [*Col. Entry Bk., Vol. XIII., pp.* 226–228.]

[July 12.] **986.** Petition of Thomas Martyn and Leonard Compeare of London, but residing in Jamaica, to the King and Lords of Trade and Plantations. That they are not only obstructed and discouraged by the Governor of Jamaica in the execution of the office granted to them by his Majesty's patent of Receiver of duties and impositions payable to his Majesty within said Island, but such things are imposed upon them by the Governor's Instructions as it is impossible for them to undergo without being losers by said employment. Pray his Majesty to interpose his power so that petitioners may receive the benefit of his grant to them. With marginal notes of their grant and the King's directions thereon. *Signed by* Thomas Martyn. *Annexed,*

986. I. Order of the King in Council. Referring above petition to Lords of Trade and Plantations for their report, when his Majesty will declare his further pleasure. Whitehall, 1676, July 12. *Endorsed,* "Read at the Committee, 31 July 1676; also on 6th Feb. 1677."

986. II. The King's Patent to Thomas Martyn and Leonard Compeare of the office of Receiver of all duties, impositions, payments, quit-rents, fines, forfeitures, and escheats payable to his Majesty, his heirs or successors, in Jamaica. Westminster, 1674, April 3. Also Leonard Compeare's Declaration of Trust, 1676, June 9.

986. III., IV. Copies of a clause in Governor Lord Vaughan's Commission and the 49th Article of his Instructions in reference to the suspension and nomination of officers in Jamaica.

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986. v. Governor Lord Vaughan's Instructions to Thomas Martyn for the better execution and discharge of his office of Receiver of his Majesty's quit-rents in Jamaica. St. Jago de la Vega, 1676, Feb. 5.

986. vi. Another copy of preceeding, also an additional instruction to Thomas Martyn. Port Royal, 1676, May 16.

986. vii. Objections to the instructions given by Governor Lord Vaughan to Thomas Martyn, Receiver of his Majesty's quit-rents.

986. viii. Bond of Thomas Martyn and Robert Byndlosse in the sum of 6,000*l.* for Martyn's faithful discharge of the duties of his office as Receiver. 1676, Feb. 1.

986. ix., x. Order of the Council of Jamaica directing the fees to be paid to Thomas Martyn as Receiver of his Majesty's quit-rents. Whereupon, said Martyn being called in, declared he would not act in said employment until he heard from his Majesty, and thereupon gave up his instructions, desiring his Excellency to put another in the employment. *Two copies.* Port Royal, 1676, July 24.

986. xi. Order of the King in Council on Report of Lords of Trade and Plantations in the case of Thomas Martyn and Leonard Compeare. That their Lordships have heard Counsel in behalf of petitioners, and it appears their patent is very full, and the accustomed fees granted for collection and receipt of the revenue [in Jamaica]. And although informed by Sir Thomas Lynch and [Colonel] Molesworth that the Patent Officer was not esteemed to have any right to the receipt of other taxes imposed and assessed for the particular use of the Island, their Lordships could not approve of said distinction, but are of opinion that, as in England, so in Jamaica, no public levies of money ought to be made otherwise than in your Majesty's name, and therefore petitioners were entitled to receive same and enjoy the fees mentioned in your Majesty's Letters Patent. And further that Lord Vaughan required a security from them of 6,000*l.*, cannot but offer their opinion that his Majesty signify his pleasure to Lord Vaughan forthwith to admit petitioners into the full possession of the office of Receiver, and likewise mitigate the great security at present demanded from petitioners. His Majesty approved said report, and ordered Secretary Coventry to prepare a letter for his Majesty's signature to Governor Lord Vaughan to admit petitioners to enjoy the full benefit and advantage of their said patent, giving security proportionable to the receipt. Whitehall, 1677, July 13. *Together*, 15 *pp.* [*Col. Papers, Vol. XXXVII., Nos.* 30, 30 i.–x.; *also Col. Entry Bk., Vol. XXIX., pp.* 106–111.]

987. "Royal Company. Negroes at Jamaica, 1676." *Endorsed by Secretary Williamson,* probably the Opinion of the

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Attorney-General. Patent to the Duke of York of the office of Admiral of Jamaica and all other his Majesty's Plantations and Dominions. Also the King's patent (*sic*) of privileges, &c., by way of encouragement to Planters and inhabitants of Jamaica. Charter to the Royal Company. The case of the ship [St. George], laden with negroes from Angola, seized at Jamaica, and cited at the Admiralty there, and why the Judge suffered the case to be dismissed to law. At common law they pretend the grant of the sole trade is void by the statute against monopolies. So first they ou[s]t the Admiralty of his jurisdiction by a subsequent Act of their Assembly, and then the King of his prerogative under colour that this grant is against said statute, and that the King is as well bound thereby at Jamaica as here. As to the first point, "it is conceived" that the first letters patent to the Admiral cannot be altered or abridged by any subsequent grant. And no Act of the Assembly which is "derivitive" from the second grant can prejudice the prior right granted to the Admiral. As to second point, "I cannot see" upon what terms the inhabitants of Jamaica are as to their being governed and enjoying the benefits of the laws of England. "I know not what opinion to give. But this, I conceive, is plain, that by his Majesty's acquisition of that country he is absolute sovereign, and may impose what form of constitution both of government and laws, he pleaseth, and the inhabitants are in no sort entitled to the laws of England or to be governed thereby, but by the mere grace and grant of the King. And, therefore, until it shall be seen what the King has granted, I do forbear to give any further direction." 2 *pp.* [*Col. Papers, Vol. XXXVII., No.* 31.]

13 July. Whitehall. **988.** Journal of the Lords of Trade and Plantations. The Lords take in hand the case of the negro ship (St. George) in Jamaica. Mr. Attorney-General explains the whole matter. The Deputy and others of the African Company attend. Dr. Lloyd's report read. Ordered, after debate, that Lord Vaughan be written to that he take care to preserve the jurisdiction of the Admiralty, and that the King's prerogative be not called in question concerning forfeitures, notwithstanding an Act of the Island dividing it into several parishes which cannot lessen the Lord High Admiral's jurisdiction granted to his Royal Highness; and that to prevent such disputes, all offenders be, at least, fined to the value of the ship and cargo upon indictment for their contempt in bringing in such ships. Their Lordships likewise consider the case of John Deane, who has lately been apprehended in Jamaica by Lord Vaughan, and condemned to suffer death as a pirate for having seized an English vessel the John Adventure, drunk out several pipes of wine and taken away a cable value 100*l.*, forcibly carrying the ship to Jamaica, besides wearing Dutch, French, and Spanish colours without lawful commission as is seen in the exemplification of said Deane's trial. Upon which the Lords direct that the Judge of the Admiralty have orders to consider how far said proceedings are warrantable by the laws and practise of England. Sir John Werden who is present is desired to move his Royal Highness for a Com-

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mission of Oyer and Terminer to be sent to Governor Lord Vaughan, which is to be a dormant commission for trial of pirates and every new Governor to carry one over with him. [*Col. Entry Bk., Vol. CIV., pp.* 167–168.]

July (?). **989.** "Royal Company." *Endorsed by Secretary Williamson. Mem.*—That letter be procured by his Majesty's command purporting that his Majesty has been acquainted with the proceedings against the St. George and her lading of negroes at Jamaica, and declares his dissatisfaction with the admission of the pretended plea that said ship was siezed within a parish of the Island thereby declining the Admiral's jurisdiction and questioning his Majesty's charter to the Royal African Company. That his Majesty will not have his authority questioned at Jamaica, His Royal Highness' jurisdiction trampled on as Lord High Admiral, or the Charter to the Royal African Company questioned as a monopoly. That an appeal being made to his Majesty, the Governor cause good security to be given by the Master of said ship, or others who had the negroes, to answer their full value in case same shall be declared forfeited according to the Royal African Company's charter. 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 32.]

July 17. Nevis. **990.** Governor Stapleton to Lords of Trade and Plantations. Sends map of St. Christopher's and Nevis and excuses some errors of orthography; cannot yet get drawn that of Antigua. The bearer [Joseph Rokeby], Secretary of the Island for several years is able to give account of these islands as well as most men, and [John] Coombes of this Council has also gone home. Sends copies of bonds; little trade at St. Christopher's. Beseeches their Lordships to reiterate the condition of the officers and soldiers to his Majesty and to consider his own great charges and arrears still due to him. *Endorsed,* "Rec. from the Secretary of Antigua [Nevis?] with maps of Nevis and St. Christopher's, read 14 Sept. 1676," 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 33, *and Col. Entry Bk., Vol. XLVI., pp.* 134, 135.]

July 17. Nevis. **991.** Governor Stapleton to Sir Robert Southwell. Begs the continuance of his favours and that if he hears anything against Stapleton from Sir Charles Wheler or Sir Jonathan Atkins to let him know; hears they are inveterate against him, but knows not why. Two of the Council, Joseph Rokeby, a Yorkshire gentleman, and John Coombes, of Southampton, are able to give their Lordships information of these parts, also Captain Peter Cove, all gone home about their private affairs. *Endorsed,* "Rec. 14 Sept. 1676." [*Col. Papers, Vol. XXXVII, No.* 34.]

July 19. Whitehall. **992.** Order of the King in Council. That the Lord High Treasurer of England do issue Orders and Warrants for payment of the sum of 2,497*l.* 6*s.* 8*d.* to George Wharton, Treasurer of the Ordnance, to be employed in providing and transporting certain stores to Virginia. *See Estimate, ante No.* 948. [*Col. Entry Bk., Vol. LXXX., p.* 69.]

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July 20. **993.** Dr. Richard Lloyd to Lords of Trade and Plantations. In obedience to their commands, certifies his opinion whether the trial and condemnation of John Deane for piracy by Lord Vaughan, as Vice-Admiral to his Royal Highness in Jamaica, can be justified by law, as also what has been the practise of the High Court of Admiralty here before the Statutes of 27 & 28 Hen. VIII. and since as to the trial of pirates. That Lord Vaughan has not regularly proceeded in said trial and condemnation for the reasons stated. Pirates and sea rovers are in the eye of the law outlawed, every man is commissioned to seize and stay them if they make opposition, but if they yield or be taken they are to be tried criminally according to the prescribed form and the practise in such cases. *Endorsed,* "Read, 20 July 1676." 2 *pp.* [*Col. Papers, Vol. XXXVII., No.* 35, *and Col. Entry Bk., Vol. XXIX, pp.* 80–83.]

July 20. Whitehall. **994.** Journals of the Lords of Trade and Plantations. On reading the report of Dr. Lloyd concerning Lord Vaughan's proceedings in Jamaica in the condemnation of Deane the pirate, their Lordships agree to present said report to his Majesty in Council with their opinion that letters should be writ to Lord Vaughan to stop execution, and that his Majesty should command a Commission of Oyer and Terminer to be sent over for the trial of this and all other pirates according to the method of law as prescribed in the Statute of Henry VIII. [*Col. Entry Bk., Vol. CIV., p.* 176.]

July 20. **995.** Memorandum of the Lords of Trade and Plantations. That my Lord Privy Seal present his Majesty with the report of Dr. Lloyd touching the condemnation of a pirate (Deane) in Jamaica, with their Lordships' opinion that letters should be written to Lord Vaughan as expressed in preceding abstract. [*Col. Entry Bk., Vol. XXIX., pp.* 83, 84.]

July 20. **996.** Invoice of goods and servants aboard the Richard and Elizabeth, Nicholas Pryn, Master, for Virginia for the account of [Alderman] Richard Booth and Samuel Story, of Samuel Claphamson, William Hunt, and William Paggen. These consist of linen, woollen, silk and hoods, upholstery, stockings, shoes, saddles, gloves, seeds, haberdashery, iron ware, knives, combs, buttons, bodices, hats, grocery ware, gunsmith, "cheesemonger's bill," powder and shot, anchovies, soap and salt, stationers' ware, wine and brandy amounting to 263*l.* 12*s.* 7 *pp.* [*Col. Papers, Vol. XXXVII., No.* 36.]

July 21 Whitehall. **997.** The Privy Council to Sir Thomas Chicheley, Master of his Majesty's Ordnance, directing him to cause certain stores (*see Estimate, ante No.* 948) to be forthwith provided and transported to Virginia and delivered to the Governor there for his Majesty's service in that Colony. [*Col. Entry Bk., Vol. LXXX., pp.* 69, 70.]

July 24. St. Jago de la Vega. **998.** Journal of the Council of Jamaica. His Excellency having acquainted the Council that he had divers matters to object against Sir Henry Morgan and Robert Byndlosse in his Majesty's behalf, Sir Henry was called in and his Excellency proceeded to examine

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him on certain interrogatories in reference to his dealings with the privateers in 1675 which follow with his answers to same. Then his Excellency exhibited certain articles against Sir H. Morgan with the several proofs to each of them, the 1st Article being that Morgan in March 1675 presumptuously made use of his Excellency's name and authority without his orders in divers letters he wrote to the privateers, to which are added Morgan's answers to each Article. Then follow the Articles exhibited against Robert Byndlosse with his answers to each of them, which have also reference to Byndlosse's dealings with the privateers, especially his correspondence with M. Ogeron, Governor of Tortugas, about the recovery of certain tenths due to the French Admiral by captains of privateers who touched at Jamaica. Ordered that the examinations, articles, and answers aforesaid, with all the letters, depositions, and proofs, be kept upon the Council file and entered upon the records, fairly copied, and transmitted to his Majesty under the hand of the Clerk of the Council and the seal of his Excellency. On petition of John Martyn, the Council were of opinion that the customs raised in Jamaica were not in his patent; but on perusing his instructions for collecting the quit rents, it was resolved that his fee should be 2*s.* per 1*l.*, for the first 2,000*l.* and above that sum 1*s.* per 1*l.*, whereupon said Martyn being called in, declared he would not act and desired his Excellency to put another in that employment. Letter from the King to Governor Lord Vaughan, dated 28th March 1676, to admit Samuel Long a Privy Councillor in pursuance of which said Lieutenant-Colonel Samuel Long was sworn and took his place at the Board. [*Col. Entry Bk., Vol. XXXV., pp.* 471–514.]

July 27. Whitehall. **999.** Journal of the Lords of Trade and Plantations. On reading letter from Colonel Stapleton, Governor of the Leeward Isles, of 26th April last (*see ante, No.* 902), ordered that Captain Gorges, Colonel Stapleton, Colonel Freeman, and others soliciting the business of those parts attend on Monday morning. [*Col. Entry Bk., Vol. CIV., pp.* 183, 184.]

July 27. Whitehall. **1000.** Journal of the Lords of Trade and Plantations. On consideration of the affairs of Jamaica, their Lordships think fit that when the letter ordered by his Majesty in Council concerning Deane the pirate and other despatches be sent to Lord Vaughan he have at the same time an account of all his letters received by their Lordships, and that the laws transmitted by him are making ready for his Majesty's approbation. [*Col. Entry Bk., Vol. CIV., p.* 184.]

July 28. Whitehall. **1001.** Lords of Trade and Plantations to Lord Vaughan, Governor of Jamaica. Find that his Lordship's proceedings in the trial of John Deane, lately tried and condemned for piracy by his Lordship, are not warranted by the laws of this Kingdom, it not appearing that pirates were *de facto* tried by the civil law, though it is supposed they were so tried, but by Commission of Oyer and Terminer under the great seal of England, therefore their Lordships advised his Majesty that the execution of said Deane might be stopped, and a commission sent for his new trial which his Majesty

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approving has given directions for a Commission of Oyer and Terminer to be prepared and sent to Lord Vaughan with all speed; to the end his Lordship may cause the execution of said Deane to be stopped and proceed to a new trial. 2 *pp.* [*Col. Papers, Vol. XXXVII., No.* 37, *and Col. Entry Bks., Vol. XXIX., pp.* 84–86, *and Vol. XCVI., pp.* 103–105.]

[July 31.] **1002.** Sir Robert Southwell to Governor Lord Vaughan. Acknowledges receipt of several letters from him. Doubts not that the frigate Phœnix which had already been ordered to succeed the Foresight has long since arrived in Jamaica. Received the map by Captain Davis, and their lordships are extremely pleased with the beauty and exactness of it, and when pasted on cloth will present it to his Majesty. His letter which accompanied the general account of the island was very well received but not perused because he so much pressed a dispatch of the laws. Their Lordships have spent many days in the perusal of them, and, having finished the whole, they propose a short review of their observations and will then deliberate upon what sort of report they shall make to his Majesty "in that great affair," so that his Lordship will see from hence that Sir Robert is not able to tell him what is the result of the Committee upon these laws. But for his Lordship's own private satisfaction, names some of the observations that were made. Recites the hearing before the Lords about the interloping ship of negroes and the African Company, and the letter ordered to be written to his Lordship on the subject. Also sends letter from the Lords touching the pirate Deane. *See preceding letter.* [*Col. Entry Bk., Vol. XXIX., pp.* 86–89.]

July. **1003.** Twenty-one Acts and one Petition made at a General Assembly held at St. Maries [Maryland], the 15th day of May, in the first year of the dominion of Charles, &c., A.D. 1676, the titles of which are as follows :—1. An Act for continuing the payment of the imposition of 2*s.* per hogshead during the life of the Honourable Cecil Calvert, son and heir of the Right Honourable Charles, absolute Lord Proprietor of the Provinces of Maryland and Avalon, Lord Baltimore, &c., in case he survives his Lordship.

Petition of Philip Calvert, your Lordship's Judge in testamentary causes, and John Jourdain, the two overseers of the last will of Lieutenant-Colonel John Jarbee, late deceased. 2. For securing merchants and others tobacco after they have received it. 3. Relating to the seizure of tobacco by the sheriff. 4. For the relief of Ann Cawood, widow, and her children. 5. For the publication of marriages. 6. Relating to servants and slaves. 7. Providing for the security and defence of the Province. 8. Touching coopers and gauge of tobacco hogsheads. 9. For the settling the inheritance of the real estate of Robert Cager as also his personal estate upon the Mayor, Recorder, Aldermen, and Common Council of the City of St. Maries, and their successors to the uses in the said Robert Cager's will mentioned. 10. Concerning order keepers. 11. For limitation of Officers' fees. 12. Against exportation of corn. 13. For easement of the inhabitants of this Province in suits at law for small debts. 14. For the constables taking the list of

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the taxables. 15. To prevent the unnecessary delays of executions. 16. For punishment of a certain abuse committed by Henry Ward, of Cecil County, gentleman, against the Right Honourable the Lord Proprietor and the public. 17. Against the importation of convicted persons into this Province. 18. For securing creditors. 19. For reviving of certain laws within this Province. 20. For repeal of certain laws and also for ascertaining what laws are in force within this Province. 21. For payment and assessing the public charges of this Province. "These laws passed the seal, 3rd July 1676. Philip Calvert, Cañc." [*Col. Entry Bk., Vol. LIII., pp.* 295–346.]

July—Aug. Whitehall. **1004.** Journal of the Lords of Trade and Plantations. Reports read from Commissioners of Customs, and ordered that passes be granted for the Scanderbeg of Barnstaple, the Rachel, the Katherine of Southampton, the Prosperous, the Turkey frigate, and the Youngman's Endeavour of Plymouth, all going to Newfoundland. Also for the Lant frigate, the Society of Bristol, the Resolution of Bristol, the Prosperous of Lymington, the Mary of Bristol, and the Sara of Plymouth. [*Col. Entry Bk., Vol. CIV., pp.* 171, 173, 184, 198, 205.]

Aug. 2. Croydon. **1005.** Archbishop of Canterbury to Bishop of London. Received the enclosed from a person altogether unknown. The design of the writer seems very honest and so laudable that I conceive it concerns us by all means to promote it. If his Lordship will remember it when Lord Baltimore's affair is considered at the Council Table, makes no question but there may be a convenient opportunity to obtain some settled revenue for the ministry of that place as well as the other plantations. When that is once done it will be no difficult matter for us to supply them with those of competent abilities both regular and conformable. *Endorsed,* "Recd. from the Ld. London, 8 Aug. 1676, with a letter from John Yeo, minister in Maryland, to the Archbp. of Canterbury. Read, 19 July 1677." *Encloses,—*

1005. I. John Yeo to Archbishop of Canterbury. Deplorable condition of Maryland for want of an established ministry. Ten or twelve counties in this Province with at least 20,000 souls, and but three Protestant ministers of the Church of England, though there are others who pretend to be ministers of the gospel that never had a legal ordination and sow seeds of division amongst the people, so here is a great necessity of able and learned men to confute the gainsayer. The Popish priests and Jesuits are provided for, and the Quaker provides for the speakers in their conventicles, but no care is taken for those of the Protestant religion. The Lord's Day is prophaned, religion despised, and notorious vices committed, so that it is become a Sodom of uncleanness and a pest house of iniquity. Now is the time for his Grace to be an instrument of universal reformation amongst them, Cecil, Lord Baltimore, being dead, and Charles, Lord Baltimore, their Governor,

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bound for England to receive the King's confirmation of the Province. Doubts not his Grace may prevail for the maintenance of a Protestant ministry as in Virginia, Barbadoes, and all other his Majesty's Plantations which will encourage able men to come amongst them. Neither can be obtained here consecration of churches and churchyards to the end Christians may be decently buried. Maryland, Petuxant river, 1676, May 25. [*Col. Papers, Vol. XXXVII., Nos.* 38, 38 I., *and Col. Entry Bk., Vol. LII., pp.* 27–30.]

Aug. 2. Jamaica. **1006.** Governor Lord Vaughan to Secretary Coventry. According to his commands cited Sir Henry Morgan and Lieutenant Colonel Robert Byndlosse to appear before the Council on 24th July last; the matter the Governor charged them with and the manner of proceeding he will see in the enclosed exemplification, containing the whole charge with the proofs relating to each part of it. Soon after Lord Vaughan's arrival, seeing how imprudently and rashly Sir Harry did begin to act, the Governor demanded copies of all letters he had written since the Governor's coming, and told him he ought not without the Governor's order to use his name, nor should he have written any such letters to the Privateers without acquainting the Governor. But afterwards, taking notice how little he regarded what I said to him, and that his brother Byndlosse and he were only continuing to act by themselves, and privately set up a privateer faction, I thought it my duty to lay the whole matter before his Honor in December last. Details very fully the Articles that were exhibited against Morgan, and the "full and pregnant proofs produced before the Council" so that his Majesty and his Honor, the Governor believes, will be fully satisfied in his endeavours to do his duty. The Privateers have been strangely encouraged by Sir Henry and Byndlosse, and would not be persuaded but what they did was lawful. All the papers were signed in Council, and has now faithfully exemplified them, submitting all to his Majesty's determination. Remarks concerning Lieutenant-Colonel Byndlosse and the French deputation, "and when I told him of the danger of such a foreign power he publicly justified the lawfulness of it, and said the Spaniards had done the same at Cadiz and St. Sebastians." The gentlemen much concerned at the manner of Byndlosse's behaviour at the Council table, which was indeed very rude and insolent, and his refusal to leave his written answer to the charges against him, saying he would trust nobody, on which the Governor ordered the Marshal to take him into custody, and then rather than be committed he delivered in his answer. Advice of the coming into the Indies of a squadron of the States' ships under the command of Jacob Binckes.

[*N.B.*—What follows as also concerning a battle between a fleet of Dutch privateers, assisted by States men-of-war, and the French fleet at Petit Guavos, is abstracted in Governor Vaughan's letter to Sir Robert Southwell, *ante No.* 967.] The Dutch continue still in the road, but do not land, if Admiral Binckes comes down with his fleet the whole coast will be certainly reduced. "Rec. 9 Nov. 1676,

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by Capt. Alford, Commander of the St. George." 4 *pp.* [*Col. Papers, Vol. XXXVII., No.* 39; *Col. Entry Bk., Vol. XXIX., pp.* 95–101.]

Aug. 2. Jamaica. **1007.** P. Beckford to Secretary Sir Joseph Williamson. Account of news that seven Dutch sail had taken Cape Francis, and made all the French there swear allegiance to the States General, and then sailed for Petit Guavos. Account of their fight with the French fleet (*see ante, No.* 967). The fight over, the Dutch invited the French aboard, treated them civilly, and used all their endeavours to bring them to take the oath of allegiance to the States General, and sent letters ashore to that purpose, but the French frustrated their design, and the Dutch did not think themselves strong enough to land, for the French dared them to that. The interrogatories and answers of Lieutenant-General Morgan and Colonel Byndlosse go by this conveyance. Captain Coxen about the Island with a French Commission. My Lord uses all possible means to take him, and proclaimed mercy to all his men if they delivered their Captain up, who was declared a pirate, but they refused, so my Lord sent to take him, but he ran away immediately. 2 *pp.* [*Col. Papers, Vol. XXXVII., No.* 40.]

Aug. 3. Whitehall. **1008.** Journal of Committee of Trade and Plantations. Petition and case of Rowland Simpson, late planter in Surinam, read, referred by an Order of Council of 28th July last (*see Nos.* 1018 VII., VIII.]

Aug. 10. Report in the case of Simpson presented (*see No.* 1018 IX.), but before reading their Lordships ask Cranfield what he had to say against Simpson. He accused him of having been the cause why several English planters in Surinam had not left that Colony, and had enriched himself during the late wars by deserting the English interest. The Lords do not acquit Simpson of these imputations, however find them not of such a nature as to stop the course of his Majesty's justice, so Cranfield having nothing to say against the merits of the present case the report is approved. [*Col. Entry Bk., Vol. CIV., pp.* 191, 197.]

Aug. 3. **1010.** Declaration of the people of Virginia [against the Governor], *signed* "Nath. Bacon, General, by the consent of the people." For having, on pretence of public works, raised unjust taxes for advancement of favourites; for during his long government not having advanced the Colony by fortifications, towns, or trade; for having abused and rendered justice contemptible by raising scandalous and ignorant favourites to places of judicature; for assuming the monopoly of the beaver trade contrary to his Majesty's prerogative and interest; for having for unjust gain bartered and sold the lives of his Majesty's subjects to the barbarous heathen; for having protected and emboldened the Indians against his Majesty's subjects; for having countermanded and sent back our army when just on the track of those Indians, who now burn, spoil, and murder, when they might have been destroyed; for having with the privity of favourites forged a Commission against the consent of the

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people for effecting civil war, which happily was prevented. Of all these articles we accuse Sir William Berkeley and the following persons, his wicked and pernicious councillors and assistants, viz.: Sir Henry Chicheley, Colonel Charles Wormeley, Phillip Dalowell, Robert Beverley, Robert Lee, Thomas Ballard, William Cole, Richard Whitacre, Nicholas Spencer, Jos. Bridger, William Claiborne, junior, Thos. Hawkins, William Sherwood, Jos. Page, clerk, Jo. Cliffe, clerk, Hubbert Farrell, John West, Thomas Roade, and Mat. Kemp. And further demand that Sir William Berkeley and all said persons surrender themselves within four days, otherwise we declare that the owners or inhabiters of places where said persons shall reside or hide to be confederates and traitors to the people, and their estates to be confiscated. These are in his Majesty's name to seize said persons as traitors to the King and country, and to bring them to the Middle Plantation, and secure them till further order. 2 *pp.* [*Col. Papers, Vol. XXXVII., No.* 41.]

Aug. 3. **1011.** Declaration signed by Thomas Swann and 69 others. That the country has raised an army against the common enemy, the Indians, under the command of Nathaniel Bacon, but that Governor Berkeley, assisted, counselled, and abetted by evil-disposed persons, hath actually fomented and stirred up the people to civil wars, and failing of success hath withdrawn himself, to the great astonishment of the people and the unsettlement of the country. So said gentlemen swear among other things to join with said Bacon against the common enemy in all points. 2 *pp.* [*Col. Papers, Vol. XXXVII., No.* 42.]

Aug. 4. **1012.** Declaration signed by Thomas Swann and 29 others. That great quantity of arms and ammunition is commanded away from various parts of the country; that several persons have lately fled; the evils likely to ensue; that the subscription made yesterday at the Middle Plantations be sent to all the counties in the country; and that the General [Bacon] effectually prosecute the Indian wars, and suppress with open hostility any attempt against his authority. 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 42.]

Aug. 4. **1013.** Proclamation by Nathaniel Bacon, addressed to Colonel John Washington and the rest of the Commissioners for Westmorland county. For a general voluntary enrolment of all housekeepers and freemen capable of bearing arms. 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 43.]

Aug. 5. **1014.** Proclamation by Nathaniel Bacon, addressed to Colonel John Washington and the rest of the Commissioners for Washington county. Requiring them to administer the oath and take the subscription of every freeholder in said county, according to the engagement of the 3rd instant of the principal gentlemen at the Middle Plantation. 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 43.]

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Aug. 8. Whitehall. **1015.** Journal of the Lords of Trade and Plantations. Sir John Berry and Captain Davies attended to give account of the present condition of Newfoundland, with their opinions concerning the removal or encouragement of inhabitants there. Sir John Berry's letter of 12th September last again read (*see ante, No.* 666), and Sir John asserts all is true, and Captain Davies is of the same opinion for encouragement of a Colony for security of the fishing trade, or else the French would take the advantage to make themselves masters of all the harbours and fishing places, or would entice the English to settle amongst them. That the abuses complained of are wholly occasioned by the West country adventurers. That the masters of ships at their departure pull down their stages for firing on board their ships, and leave their men merely to save charges of returning them to England. Captain Davies says he had orders some few years past to carry guns thither for strengthening the harbours, but by reasons of the war with Holland those designs were laid aside. Further consideration deferred till next winter, since no ships go for Newfoundland till next spring, when the West countrymen are to be summoned to give answer, and, in the meantime, Sir John Berry to see their former reasons for removal of the Colony. [*Col. Entry Bk., Vol. CIV., pp.* 193, 194.]

Aug. 8. **1016.** Journal of the Council of Barbadoes. The Assembly having by their Speaker proposed yesterday to this Board three of their members to examine the laws of this Island, ordered that three of their Council be a Committee for the same purpose, with power to either Council or Assembly to appoint other members to be joined with them, and that summons issue to said Committee to inspect the laws of this country. [*Col. Entry Bk., Vol. XI., p.* 293.]

Aug. 10. Nevis. **1017.** Governor Stapleton to Lords of Trade and Plantations. Recommends the bearer, a Frenchman, and of the Protestant religion, who is married to an English gentlewoman who has a considerable plantation in the King's part of St. Christopher's, to become his Majesty's subject by denization. *Endorsed,* "Rec. 31 Oct. 1676." 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 44, *and Col. Entry Bk., Vol. XLVI., p.* 136.]

Aug. 10. **1018.** Petition of Rowland Simpson [late a Planter in Surinam] to the King and Council. That in October 1674 he shipped from Surinam 309 hogsheads of sugar, the product of his plantation, on board the Golden Lion, which was taken off Scilly by a French privateer, the Golden Fleece, Barnardo Lemoyne, commander, but petitioner caused said ship to be arrested at Milford Haven by an Admiralty warrant. That said Lemoyne broke the arrest and carried petitioner's ship and sugars into France. That his Majesty recommended petitioner's case to Lord Lockhart, Ambassador in France, but he could not obtain satisfaction. That petitioner then on 29th June 1675 by way of petition informed Mons. Ruvigny the French Ambassador in England with his case, and prayed reparation for damages but could never obtain any answer, whereupon petitioner

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in December 1675 took an edict out of the High Court of Admiralty against Lemoyne, and certified his damages were above 6,000*l.* That on 28th July 1676 petitioner prayed his Majesty to grant him letters of reprisal, and on 10th August following the Lords of Trade reported they had nothing to oppose to the petitioner's prayer, and his Majesty approved said report, but ordered Mr. Secretary Coventry to represent same to the French Ambassador, who sent the papers to France, but petitioner has waited almost six months for answer, and conceives such delays amount to absolute denial. Wherefore prays for letters of reprisal according to law. *Annexed,*

1018. I. The petition of Rowland Simpson to Mons. Ruvigny, French Ambassador in England, above referred to. [1675, June 29.] "Read 3 August 1676."

1018. II. Report of Sir L. Jenkins, Judge of the Admiralty, to Mons. Ruvigny, French Ambassador, on the case of Rowland Simpson. To appoint some person to take care of this business on behalf of Captain Lemoyne, that witnesses may be examined on such interrogatories as may be thought fit according to the rules of justice. Doctors Commons, 1675, December 8. "Read 3 Aug. 1676."

1018. III. Mem. that petition with copy of report of the Judge of the Admiralty, both in English and French, was presented to the French Ambassador by Rowland Simpson, in presence of Major Samuel John Wright and Peter Cooper. "Read 3 Aug. 1676."

1018. IV. Three letters from Réné Augier, English agent in Paris, to Mr. Cooper. In reference to his not being able to get M. Limbry's papers (in Rowland Simpson's case) out of Mons. Colbert's office. Paris, 1675, Oct. 9, Nov. 2, Dec. 28.

1018. V. Depositions in the case of Rowland Simpson taken in the Admiralty. 1676, Feb. 26. "Read at the Committee, 3 Aug. 1676."

1018. VI. Depositions of John Lymbrey and others in Rowland Simpson's case. 1676, March 10. "Read at the Committee, 3 Aug. 1676."

1018. VII. Order of the King in Council on petition of Rowland Simpson for relief either by granting him letters of reprisal or such other ways as shall be thought meet. Referring same to the Lords Committee of Trade to report what they judge most proper to be done for petitioner's relief. Also Rowland Simpson's petition. 1676, July 28.

1018. VIII. Case of Rowland Simpson showing his damages amount to 6,206*l.* Also Judge Jenkins' report. 1676, July 31.

1018. IX. Report of the Lords Committee of Trade to the King. In obedience to an Order in Council of 28th July 1676 have considered the case of Rowland Simpson praying letters of marque against the French, and because this method of redress is the most severe of all others it has engaged them in a more strict examination of the merits of his cause. Recapitulates his case [as shown in pre-

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ceding papers]. "We know not what to oppose to the petitioner's prayer for letters of marque, seeing he hath run all the methods of ordinary justice for his redress. But because the resolving upon letters of marque comes to be a point of State as well as of justice, we humbly submit the determination thereof to your Majesty." *Council Chamber*, 1676, Aug. 10. [*Col. Papers, Vol. XXXVII., Nos.* 45, 45 I.–X.]

Aug. 11. James City. **1019.** Proclamation by Nathaniel Bacon, Thomas Swanne, Thomas Beale, Thomas Ballard, and James Bray, addressed to the sheriff of Westmorland county. Governor Berkeley having absented himself from the Government, to proceed to the election of Burgesses to meet at James City the fourth of September next. 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 43.]

1020. Names of two ships. The Prince, Robert Conaway, commander, and the Daniel, Thomas Warren, commander, both bound to York River in Virginia. *Endorsed by Secretary Williamson,* "Tobacco to Sir W. Berkeley." [*Col. Papers, Vol. XXXVII., No.* 46.]

Aug. 12. **1021.** William Harris to [Sir Joseph Williamson]. Has been prevented from writing before by the Indian war and by the desire to send certain information, but has been in the most dangerous place, where the Indians killed his son and a negro man, burned the house, drove away fifty head of "*cowkind* cattle and four score horsekind," and burned 50 loads of hay. The country has been in a lamentable condition, the wisest men at their wits' end, the Indians doing so many mischiefs in a secret way, and had it not been for some other Indians the English might have been driven to great straits, for had all the Indians been hostile and had gotten powder they might have forced the English to islands for safety. The war was on the English part just; Philip, an Indian great man, living in Plymouth Patent, refused to submit to the King's wish to make answer concerning the death of an Indian, and appeared in arms, having previously told John Easton, Deputy Governor of Rhode Island, that the Plymouth Government had laid fines on him, but he was resolved not to pay; these fines were for a war plotted to destroy the English unawares, which was compassing to fight against the King's authority, and therefore high treason; the war was intended by Philip long before, as appeared by the Indians laying up corn in a secret manner in barns made in the ground over which grass was grown. The Indians' predecessors submitted for the sake of privilege and safety against their enemies, and the present Indians "matter not subjection" when it is to their loss, and had formerly told Philip that he of all other Indians should lose the English as the Plymouth old planters had saved his father Mas-sa-soyt, afterwards called Osa-mea-quen, from the Narragansetts, and reasoned for the maintenance of the Indian customs against the King's law, and yet they have many monstrous customs contrary to all humanity, such as

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killing their children, their aged parents, and for a man's murdering another to kill his brother or kinsman, with many such like, for these they were resolved to fight and to destroy all Englishmen. Some stick not to say that the English have caused the war by their oppressions in defrauding the Indians of their land and trespassing on their corn by cattle; these accusers are either those intending to buy their neighbours' lands, as some have been bought four or five times over, or men who envy their countrymen, or some that flatter the Indians to buy their land, and sometimes to draw the Indians' trade to them. To these the answer is that the Indians were at the beginning of the war far more supplied than when the English came, for then they were in great wants, having only stone axes and hoes of wood and tortoise and other fish shells, and but little corn, and only flint drills, but since, they have iron and steel and plenty of corn and wholesome food and physic. The Connecticut men lately found 700 bushels of corn and beans (like to the English beans) stored by the Indians; they have been slain by prosperity. The war was also just with the Narragansetts, many of whom were with Philip in the first fight about Mounthope, and on Philip's flight thence were received back with a great woman of Philip's party and her men; the Narragansetts, at the demand of the English, entered into articles to deliver them but did not, making large pretences of peace so as to delay the war till after their harvest, and receiving rewards from the English for the heads of persons said to be of Philip's party, but all in deceit, the heads being those of men killed by the English or of Narragansett deserters, or of certain of Philip's men against whom they had a grudge. This grudge arose out of a trial in Rhode Island, when a man (related to Philip) having killed his wife and her adulterer (of the Narragansetts) was condemned to death, but the sachems would have two (of Philip's party) condemned, but the court would not admit it, whereupon the Narragansetts were indignant, and said that before the English came they could do what they list with Philip's party. The Narragansetts had then many of Philip's men whom they did not deliver up, and all about Hadley and Deerfield they aided Philip's men against the English. Others hold the war unjust, as no war is just, and have some temptation to this pretence, as not aiding or willing in the defence. The war began about Mounthope about 20th June 1675. Philip was encountered by General Gaurdy (?) of the Massachusetts and Plymouth forces under Captain Cudworth, Major Winthrop coming to aid them on consideration stopped at Narragansett and sent his forces back to Connecticut; the rest differed about Philip's land before they had overcome him. They marched after Philip in a few files some miles long and shot at the green shrubs when they saw not the enemy, so the Indians, hearing their guns, had room to slide by them; at the last they found Philip in a swamp, but could not draw him out, so they marched back again. Philip having marched up the country and burnt some houses at Providence; the Providence men assembled 30 or 35 to lie in ambush but missed him; they were then joined by about 35 more of Rehoboth and Taunton in Plymouth, and 40 friendly Indians under Uncas, a sachem in

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Connecticut, and marching after Philip overtook and fought with him, killed about 50 of his men and pressed Philip hard so that he left powder and stuff for haste and fled up into the country, and did much hurt about Deerfield and Hadley. The Narragansetts again accused of sheltering the enemies of the English, entered into articles to deliver them up but did not. In the meantime the Indians in the East rose and did much hurt but are since come in. About 13th December the English, to the number of 1,000, went up to Narragansett, and after some parley with the Indians, fought them with great valour in a swamp at the distance of half-a-day's march; many of the English were slain and wounded, and from the severity of the season many of the wounded died, but more Indians than English were slain; in the spring 1,300 English marched up the country and slew about 60, but could not come up with the nimblest enemy. After this the Indians did many mischiefs to the towns of Massachusetts, and Captain Pierce fell into an ambush of one thousand of them at Blackstones River near Rehoboth, and his ammunition being spent all his men save a few were killed; the thousand Indians went to Rehoboth and Providence, where they burned houses and killed cattle and stragglers; at Patuxet after burning some houses they tried to set fire to a garrison with burning arrows, but these were put out, and the Indians went away in the night on news, it is supposed, of the Connecticut forces who were near and had taken the greatest man of the Narragansetts, Nau-naun-ta-nute, whom they gave over to Uncas' son to slay, Uncas himself having 30 years since slain Nau-naun-ta-nute's father. The news from every quarter is that the English prevail; within a few months there have been 700 Indians slain, taken, and come in, and they have little provision and ammunition and are lean and dismayed and pray that they may live. Philip is now supposed to be with about a thousand in the swamp where the first fight was, near Mounthope; it is hoped that this summer and the next winter may end the war. The English are supposed to have lost 1,500 souls in the war; at the Rehoboth they pressed for the war in the proportion of one out of six, at which time their whole forces (Indian and English) were about 1,300; such resolution has there been that there would have gone out one of three; they now in furtherance of the war make powder. Acknowledges the power of God in punishing the blasphemies of the Indians; as fig leaves could not cover shame or sin, so the green leaves of the wilderness could not cover their unjust enemy. Draws religious lessons from the war. News has been brought from Virginia of destruction done by the Indians, which shows that the contrivance of the war went far. Uncas himself has confessed to have been once in the plot. All the houses in Warwick and Patuxet are burnt, almost all in Providence, and the rest of the houses in the Narragansett country. Till the Connecticut forces came there was little force made to defend the said country; the mischief has happened the rather for the dispute between Rhode Island and Connecticut for the country thereabout; Connecticut has had little mischief done in those parts which Rhode Island does not challenge; they have had the most success, go out constantly

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with English and Indian volunteers, and their little boys cry to go out against the Indians, and run on them without fear; this summer they have taken and come in 500 Indians. Potuck, the greatest councillor of the old Queen of the Narragansetts, came lately to Providence to enquire how he might get to Boston safe, pretending to peace, but some unadvisedly told him to go to Rhode Island which is not in the confederacy and could not make peace for the United Colonies; three men at Providence consented to his going and promised him safe return at three days' end to Warwick Point, but when he came to Rhode Island, the inhabitants girded on their swords and would not let him go, saying that by his counsel he had killed more English than any Indian by his weapons; about 80 Indians waited for him at the appointed place, but the Connecticut forces, who on their march met and killed the old Queen and many more, fell in with these Indians and slew most of them; Potuck is still at Rhode Island, in danger of being killed, it being objected that he was one of the men that slew Captain Pierce and burnt houses at Rehoboth, &c. Did not desire his going and did not promise his return. Yesterday 14 Indians came in to Rhode Island in great distress. By reason of the present wars the King's letter and order to the Governors cannot be put into execution. Knows of no other obstruction.

Postscript.—Since the capture of the great man of Narragansett the war has gone against the Indians; between March and August 2,000 have been killed, taken, and come in, and it is supposed 1,500 before; a thousand or fifteen hundred English slain from the first. Connecticut forces kill all save boys and girls, so that the Indians haste into Massachusetts and Plymouth; another occasion of their coming in is want of powder which they go to buy at great danger of their lives by reason of the Mohegans; formerly they said they had powder of the Dutch about Albany. There has been great loss among the Indians by sickness, from all causes they have lost about 7,000; many are kept as servants and well treated in Rhode Island, but they will run away as soon as peace is concluded as in the Pequot war 40 years since. The Indians before the war lived with more ease than poor labouring men and tradesmen in England, but before the English came once a year like to starve, and every day in danger from their enemies. News has come this 12th August that Philip was slain in a swamp within a mile of Mounthope, being set upon by Captain Benjamin Church of Plymouth, and Captain Peleg Sanford of Rhode Island, each with forty men; Philip was shot through the heart by an Indian and his head and hands are now on Rhode island. Sends the letter by a Mr. Moore bound for the north of England. Thanks him for the King's letters on his behalf. *Endorsed by Williamson,* "R. 15 Jan. 1676–77." 5 *pp., very closely written.* [*Col. Papers, Vol. XXXVII., No.* 47.]

Aug. $\frac{15}{25}$. Barbadoes.

1022. Governor Sir Jonathan Atkins to the Lords of Trade and Plantations. Has formerly answered their letter of 11th August 1675; this is to theirs of 14th April 1676. Has endeavoured to answer their 32 inquiries to their Lordships' satisfaction, his sole design being to serve his master with zeal and fidelity.

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Perceives there are jealousies in England that many people are drawn to these parts. It is a mistake as to this place, for there is no encouragement and no land for them, nor anything but hard service for small wages. Most come from Ireland and prove very idle; three blacks work better and cheaper than one white man. 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 48; *also Col. Entry Bk., Vol. VI., pp.* 91, 92.]

Aug. 22. **1023.** The King to the Governor of the Massachusetts. Recommends that John Wampas have justice done and what favour the matter will fairly bear. 2 *pp.* [*Col. Entry Bk., Vol. XCIII., p.* 150.] *Annexed,*

1023. I. Petition of John Wampas *alias* White to the King. Is a poor Indian, having a certain parcel of land in "Massy Chusit Bay," which he has held for many years, having received the oaths of allegiance and supremacy, and being now reduced to great distress was cast into prison six months since for a debt of 50*s.* where he hath remained ever since to his utter ruin. Prays for a letter to Sir John Leverett whereby he may be restored to his lands or else have liberty to sell them towards paying his debts. 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 49.]

Aug. 31. St. James. **1024.** Sir John Werden to Major Andros. Acknowledges his letters, the freshest whereof bears date 21st May. The forbidding the sale of powder to any Indians except the Maquas (whose friendship is necessary to be preserved) is very well looked on here, since though their neighbour Christians deserve small courtesy, yet still their being Christians makes it charity not to furnish their enemies with opportunity to hurt them. Is glad to hear the Dutchmen have at last willingly submitted; supposed as much, not having heard more from the Dutch Ambassador. Both his and Dyre's account in August '75 or thereabouts of the revenue put them in hope of future advantages more than are like to be confirmed; if the present charges or losses be so great by reason of the war among his neighbours, will presume on better things when it is ended; believes it will give some satisfaction if his general account and Mr. Dyre's be constantly sent once a year at least. Answers questions about the Vice-Admiralty. As for Delaware plantation, his Royal Highness is not advised here to pass a patent singly for it, but when there shall be occasion of renewing or altering the New York patent, it will be a fit season to insert Delaware into it; in the interim it will be convenient that he should send the proper boundaries, taking care to have them large enough that way, that no other English claim a right. Will see what may be done to furnish him with the guns of 300 lbs. weight for small boats; his Royal Highness agrees that he should buy such a small vessel with deck as is needful, in hopes it may be of good use, especially for such masters of vessels as shall be refractory within the ports, but would have the charge as little as possible, viz., two or three men at most, and then on occasion he may clap in soldiers, as is daily used at Gravesend and many of the King's forts. The Duke is not pleased to give way to Captain Billopp's

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desire to part with his Commission of 2nd lieutenant, but would have him be continued, if he demean himself as he ought, otherwise the Duke would have Captain Salisbury put in his room. The story of the small vessel from Boston ends well, in regard the master was bound to answer his contempt at New York, but Dyre writes of one Griffin at Virginia bound to answer in England, which puts them to play an after game there, whereas if the parties had been made to answer in New York, it would be far easier to satisfy the Duke's rights that in the other case to vindicate them from the arts and wiles of seafaring men. As regards Sir George Carteret, does not find the Duke at all inclined to let go part of his prerogative, and though at present in respect to Sir George they soften things all they may not to disturb his choler (for the passion of his inferior officers so far infects him as to put him on demands with no colour of right), should his foot chance to slip, those who succeed him must be content with less civility. 2 *pp. Printed in New York Documents, III.*, 238–240. [*Col. Entry Bk., Vol. LXX., pp.* 22, 23.]

Aug. 31. **1025.** Sir John Werden to Captain Billopp. Acknowledges his letter of 10th May, is glad to find he is in so probable a way of improving his plantation. His Royal Highness is wholly averse from his request to dispose of his command, and not without resentment that he should have presumed to make such a request, but is pleased to pass by now. If he shall either quit or be deprived of his service, the Duke has designed a person well qualified for it. ½ *p.* [*Col. Entry Bk., Vol. LXX., p.* 23.]

Aug. 31. St. James. **1026.** Sir John Werden to Mr. Dyre. Acknowledges letter of 10th June. It is the Duke's desire that he have at least yearly a full and clear estate of the Duke's receipts. Returns the paper with the three seals drawn upon it; the Duke approves most of that which the two circles are drawn about, being his own cypher. ½ *p.* [*Col. Entry Bk., Vol. LXX., p.* 23*b.*]

Sept. 5–6. **1027.** Journal of Assembly of Barbadoes. Ferdinando Bushell elected member for the parish of St. Phillip. Sir Alexander Walrond gone off the island. Having met three several times by adjournment, the Assembly proceeded according to the rules of the House to elect a Speaker, William Sharpe chosen. Debate on an Act to regulate proceedings in the Court of Chancery and the fees also of the Naval Office.

Sept. 6. Three Acts passed, for reviving and continuing the authority of Commissioners for settling public accounts; appointing satisfaction to the owners of such negroes as have lately suffered death for their rebellion; and to regulate the proceedings in the Court of Chancery and the fees of the masters, examiner, clerk, registrar, and sergeant-at-arms, and the fees of the clerk of the Naval Office. Debate on information received of abuses done to the ministry and services in the church, and address agreed on to his Excellency; his reply, and answer of the Assembly that Henry Quintin is the Judge who used scandalous and scurrilous expressions against

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Isaac Roet, minister of St. John's, and the services of the church, on the evidence of John Kendall, John Hethersell, and Nathaniel Johnson. Ordered, that the salaries of Thomas Larkham, gunner of James Fort, William Bragg, gunner of Willoughby Fort, John Higinbotham, clerk of the Assembly, and Joseph Withers, marshal, be paid by the Treasurer. Acts passed, for imposition on liquors; to prevent frauds and concealments in the payment of excise; and to prevent the breaking up and taking away of any rocks or stones in any part of the sea or sea-shore before this island. Paper communicated by his Excellency, in relation to the Royal African Company sending a certain number of negroes to this island yearly, to lie for consideration at the next sitting of the Assembly. Ordered that Edwyn Stede, Deputy Secretary, appear before the House the second day of their next sitting, to answer certain complaints against him. [*Col. Entry Bk., Vol. XIII., pp.* 229–235.]

Sept. 9. **1028.** Warrant to [the Attorney-General]. To prepare a Bill for his Majesty's signature to pass the Great Seal, for a "Patent for Viginia," containing a declaration that the inhabitants shall have their immediate dependence upon the Crown of England, under a Governor who shall reside there, the confirmation to the inhabitants and their heirs of their lands, and encouragement to future planters; that every subject coming to dwell in said plantation shall have fifty acres; that persons in possession of escheated lands shall hold them to them and their heirs, paying two pounds of tobacco per acre composition; and that power be given to the Governor and Council to determine treasons, murders, felonies, and other offences. [*Col. Entry Bks., Vol. LXXX., pp.* 94–96, *Vol. XCV., pp.* 133–137, *and Vol. CX., p.* 99.] *With mem.*, "That the Great Seal bears date Oct. 10, 28 Car. II. [1676]."

Sept. 12. Barbadoes. **1029.** Colonel Philip Warner to [Secretary Williamson?]. His long silence has not been occasioned through want of respect, but his troubles, which have drowned his thoughts of all other things. This brings the good tidings of his deliverance after full twelve months' imprisonment in England, and on the 8th instant he was brought to a public trial. His judges were 25 gentlemen from the Leewards and this place, the jury from this island only. Great search to find evidence against him, but none found but to his advantage. Proved Hamlin a perjured rogue, so the grand jury acquitted Warner, and he was discharged by proclamation. Is returning in a few days to Antigua, where he promises himself a great deal of future content in a private retired life. 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 50.]

Sept. 14. Whitehall. **1030.** Journal of the Lords of Trade and Plantations. Letter read from Colonel Stapleton, dated Nevis, 17th July last [*see ante, No.* 990], and the consideration thereof as well as of others not yet read referred until Thursday next, when several gentlemen of the Leeward Isles promise to give their attendance.

N.B.—On 28th September the gentlemen of the Leeward Islands "are to attend" on Monday at ten o'clock, when that business will

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be considered, *but there is no further reference in this Journal to the Leeward Isles until 25th January* 1676–67, *when Colonel Stapleton's letter of 22nd November* 1676 *was read.* [*Col. Entry Bk., Vol. CIV., pp.* 211, 219, 286.]

Sept. 15 ? **1031.** "Nathaniel Bacon, his manifesto concerning the present troubles in Virginia. If to plead the cause of the oppressed, if sincerely to aim at his Majesty's honour and the public good without any reservation or by interest, if to stand in the gap after so much blood of our dear brethren bought and sold, if after the loss of a great part of his Majesty's Colony deserted and dispeopled, freely with our lives and estates to endeavour to save the remainder, be treason, God Almighty judge, and let the guilty die." Cannot in our hearts find one single spot of rebellion or treason, or that we have in any manner aimed at the subverting the settled government or attempting the person of any. The people in all places where we have yet been can attest our civil, quiet, peaceable behaviour, far different from that of rebellion or tumultuous persons. "Let the truth be told and let all the world know the real foundations of pretended guilt. We appeal to the country itself what and of what nature their oppressions have been, or by what cabal and mystery the designs of many of those whom we call great men have been transacted and carried on." Let us trace these men in authority and favour, let us observe the sudden rise of their estates or the reputation they have held here, and see whether their extraction and education have not been vile, and by what pretence they could so soon step into employments of great trust and consequence, and let us consider whether any public work for our safety and defence or for the advancement of trade, liberal arts or sciences, is here extant in any way adequate to our vast charge, let us compare these things and see what spunges have sucked up the public treasure, unworthy favorites, and juggling parasites, whose tottering fortunes have been supported. Let all people judge what can be of more dangerous import than to suspect the so long safe proceedings of our grandees. Another main article of our guilt, our manifest aversion of all not only foreign but the protected and darling Indians, which we are informed is rebellion of a deep dye, as both the Governor and Council are by Colonel Coles' assertion bound to defend the Queen and the Appannatocks with their blood. Declares them enemies to the King and country, robbers and thieves, and invaders of his Majesty's rights, yet have they by the Governor been pardoned and indemnified with encouragement and favour, and their firearms restored. Another main article of our guilt is our design not only to ruin and extirpate all Indians in general, but all manner of trade with them, since the Governor by commission warrants this trade, who dare oppose it, although plantations be deserted, and the blood of our brethren spilt on all sides, our complaints continually murder upon murder. Who dare say that these traders at the heads of the rivers buy and sell our blood, and do still, notwithstanding the late Act to the contrary. Another article of our guilt is to assert all those neighbour Indians, as well as others, to

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be outlawed, wholly unqualified for the protection of the law, for that the law doth reciprocally protect and punish. But the Indians cannot, according to the tenure or form of any law to us known, be prosecuted, seized, or complained against. The very foundation of all these disasters is the grant of the beaver trade to the Governor, but to say the grant is illegal, were not this to deserve the name of rebel and traitor. "But to manifest our zeal and loyalty to the world, and how much we abhor those bitter names, may all the world know that we do unanimously desire to represent our sad and heavy grievance to his most sacred Majesty as our refuge and sanctuary where we do well know that all our causes will be impartially heard and equal justice administered to all men." 3 *pp.* [*Col. Papers, Vol. XXXVII., No.* 51.]

Sept. 16 ? **1032.** Secretary Sir Henry Coventry to the Attorney-General. The King having received account of great disorders and a rebellious war in Virginia, and having great consideration for the age and infirmities of Sir William Berkeley, totally unsuitable to the execution of so weighty a charge as the management of the King's affairs there, and at the same time having regard to his long, faithful, and successful services to himself and his Royal Father, is willing to comply Sir William Berkeley's petition to give him leave to retire for his ease and recovery of his strength, but not to take from him the title and dignity of Governor. He is therefore required to draw a commission for Sir Henry Chicheley to be Deputy-Governor during Berkeley's retirement, but to act as Governor in chief, and to be accountable for the management of the Government. And as Chicheley was appointed Deputy-Governor, in case of Berkeley failing by death, sickness, &c., so his Majesty commands that the Attorney-General prepare a commission to pass the great seal for Captain Thomas Fairfax to be Lieutenant Deputy-Governor. Also commissions, with power of pardoning treasons and felonies relating to this present rebellion with certain exceptions, and for exercising martial law during this war. 3 *pp.* [*Col. Entry Bk., Vol. XCV., pp.* 113–115.]

Sept. 16. **1033.** Secretary Coventry to Sir Jonathan Atkins, Governor of Barbadoes. Is informed at large by his of 3/13 May of his thoughts about his Majesty granting places by patent in general, and that in particular to [Ralph] Wyat to be clerk of the market in Barbadoes [*see ante, No.* 776]. Conceives that what places his predecessors have heretofore granted ought in ordinary course to be at the disposal of the Governor, and shall make it his care that the Governor shall be very barely, if at all, entrenched upon in that kind. But must take leave on the other side to say that it would be a very great injury to his Majesty's sovereignty if in favour to Governors he be absolutely precluded from exercising both his power and his bounty at what times and upon what persons he shall think fit, and believes Governor Atkins will not find such grants very frequent or extravagant. [*Mem. in margin.*—

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A duplicate of this letter was sent with the word extravagant left out.] That which his Majesty made to Mr. Wyat being under the great seal ought certainly to have its just validity and reverence from that royal stamp; besides that, it was an act not barely of his Majesty's will and pleasure, but built upon Mr. Wyat's own merit and services, who Coventry confesses is somewhat in years, and therefore the fitter to close with the Governor's proposal of a recompense in lieu of the grace and benefit which his Majesty intended by that grant. Cannot (*altered in margin to* will not) pretend to act as a Chancellor (between you *omitted in margin*) in the case, but shall only acquaint him with Mr. Wyat's desires, which Coventry thinks reasonable, and leaves it to Governor Atkins to consider whether he thinks so. Proposes this alternative either in case the place be not resigned to Wyat, together with the profits made since April last, the date of his patent in April last, that he have 80*l.* per annum, or that his interest be bought for 400*l.*, by bills of exchange on good men in London. Pretends not to determine anything in this case, but desires him to remember that Wyat has been a considerable planter in Barbadoes. Shall expect his answer with convenient speed. [*Col. Entry Bk., Vol. CI., p.* 102.]

Sept. 16. Whitehall. **1034.** Secretary Sir H. Coventry to Lord Vaughan, Governor of Jamaica. Encloses copy of petition to his Majesty from a subject of the King of Spain, an inhabitant of Carthagena. His Majesty in very particular manner recommends petitioner's case, that the Governor examine the truth of his allegations, and if he find sufficient grounds in petitioner's cause and effects in the hands of those that have done him wrong, his Lordship will do a thing very acceptable to his Majesty to see that reasonable satisfaction be made to the poor man. *Encloses,*

1034. 1. Petition of Dom Andreas de Camargo of Carthagena and of John de Molina, Master of the ship Las Animas, to King Charles II. For relief and restitution of their ship and cargo, worth at least 20,000 pieces of 8, seized by Robert Turner, Edward Bellasis, and accomplices, with a canoe armed with ten men, when petitioners were ashore at Port Royal. [*Col. Entry Bk., Vol. CX., p.* 101.]

Sept. 19 to 1677, Jan. 29. **1035.** Journal of the ship Young Prince, Robert Morris, Commander, during the time she was in the King's service in James River. September 19th. Came to Kicowtan, Captain Prin informed us the country was all up in arms, came to anchor also the Bohemia merchant and Mr. Gilbert. 20th. All weighed [anchor], but at Newport Newes the wind "nothered," so anchored; a sloop coming down the river informed them the Governor had quitted James town and was coming down with his men and shipping; sent advice to the Governor by Captain Gillam, who came aboard. 21st. Having had a very bad night, he informed us of the burning of James town, but could not get up the river. 22nd. Got up above Newport Newes, Mr. Moore came aboard, received a command from the Governor, the country all flying before him

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23rd. Several boats and sloops came down the river and anchored, the "Jameco ship" attempted to go away, but Mr. Prin shot at them, and a sloop went after. 24th. The ship turned up to us again, and Captain Junifer viewed our letters and took what he thought fit and carried to the Governor. 25th. We ride fast, expecting the Governor who was in Workqueck Bay; Colonel Warner came to us. 26th. The Governor came to us at Newport Newes. 27th. The Governor mustered his men on shore, and there came down a sloop of Bacon's who fired at one of ours, so the Governor sent to us and Captain Prin to send our long boat after them, but it proved dark, and we could not find them. 28th. Perceived the sloop close to the shore, between two great guards, so we landed at a creek below Blunt Point, and marched by land to Newport Newes with twenty men; a party of Bacon's men fired at us to come on shore as rogues, and shot on board Captain Larrimore. 29th. Sailed to Kicowtan Road. 30th The Admiral aground, so the Governor requested us to stay in the river, and he gave us our orders and commission. October 1st. Anchored at mouth of Elizabeth River, sent ashore to Colonel Mason. 3rd. We took a boat belonging to Major Chilsey with four runaways and three guns; the militia of this county came aboard, and ordered us forty men and a sloop to wait on us. 4th. The people quit the west branch for fear of Captain Crew's sloop with flag of truce that we might go over to Kicowtan and trade with one Greene, but we answered it was not safe to trade with rebels at night when all hostages were on board; all the ships fired on the sloop when she weighed, but it blowing hard she got off and went to Hampton River. 5th. The lower Norfolk men quitted west branch of Elizabeth River. 6th. We received letters from Major Sawyer and Bacon's men, with their Declaration, and returned answers to each. 7th. We stood over to Hampton River and saw the sloop, we anchored in the mouth of Nancimond and had intelligence the enemy had retreated. 8th. Went cruising towards Point Comfort. 9th. Richard Cannon went up to the Hundred, our long boat went for water, but through bad weather could not get on board. 11th. Drove up and down the river, a man fell and was killed; we stopped Dr. Lee, having Bacon's commission about him. 13th. The sloop Ann, Captain Hanacom, came with 22 men; at night we sent her to discover where the guards lay, but they were discovered, so fired on them and came off again. 14th. Sent ashore to Colonel Mason, our sloop and man-of-war stood close in so the two sloops in Hampton River stood out but could do no good. 15th. Spying a flag on Newport Newes we turned up Hampton River, but Mr. Prin's boat got first ashore and spoke with Mr. Hunt, but was advised to be gone, so we anchored at Kicowtan and resolved on the morrow to go to the Governor, and with 24 men to attack the House at Newport Newes; the two sloops at Hampton River were gone, a yawl sent to see was fired at from the shore. 16th. Our men came aboard the sloop, and had landed, but at the word "Stand" they all ran away, and so the design spoiled through cowardice; saw several sloops, commanded our sloop to go down, she came from York, but no news. 17th. A small boat came,

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which we imagined to be a scout or spy from York. 18th. Dirty weather, the Governor sent us a letter from Accomack that two ships were gone up the Bay. 19th. The boat went with letters to the Governor. 20th. The man-of-war sloop returned; Colonel Mason brought us five soldiers, and we apprehended Hunt's boat and two of his men. 27th. We stood in to the mouth of Elizabeth River, and sent the sloop ashore to trim, and in evening resolved to go to Nancimond to hinder the coming over of the rebels. 28th. Sent a warrant to Captain Fulcher, sheriff, for pressing 20 able men with saws and axes to cut wood for the Service. 30th. Captain Samuel Groome arrived, who said several ships were coming. 31st. Colonel Mason and Captain Lawson discharged the soldiers on board. November 1st. Sent to the Governor, Major Beverley and proclamation and letter to Captain Gatlin; Major Sawyer sent a rebellious soldier. "I put him neck and heels for a quarter of an hour," (*sic*) released him on Captain Nazworthy's persuasions. 2nd. Stood out to speak with a ship in the Bay which was from Plymouth, and Colonel Morrison's sloop. 3rd. Sent to Captain Prin to know his resolution of sailing into Nancimond, but not ready just now; Mr. Gilbert came from Nancimond and said Captain Gatlin would meet at Craney Island on Tuesday (7th November) so we resolved for Craney Island. 4th. Sent away Mr. Reeves, Master of the Plymouth ship, to the Governor; about noon Captain Prin and Mr. Gilbert got into Elizabeth River, Captain Groome anchored by us, and sent sloop to Colonel Morrison who advised us of his proceedings. 5th. Received a letter from the Governor, and Mr. Reeves came with another in evening. 6th. Sent proclamation received last night from the Governor to Captain Fulcher to proclaim it; anchored at Craney island, Major Sawyer came aboard, Colonel Morrison, Captain (*sic*), and Captain Lawson. 7th. Captain Fulcher came aboard, Captain Prin with the proclamation, Captain Gatlin sent two men to treat, but came not himself. 8th. Captain Prinn went out supposed for Accomack, sent Hanacom with letters to the Governor; in the night Prinn came in. 9th. Mr. Place's wherry came aboard, information that Baker traded with the rebels; at night Colonel Morrison said a great ship was gone to York. 11th. Captain Prinn sent his sloop over to the Governor. 12th. Saw ships come in, viz., Captain Reade, of Bristow, whom we commanded to sail into Elizabeth River, but refused, and fired at us and Captain Teague; very insolent in not obeying the Governor's commands. 13th. Captain Groome sent his mate to inform us that Colonel Hansford was taken, and we saw another ship at Kicowtan, it was Captain Newham; Captain Groome sailed for Maryland. 14th. Received letter from the Governor, per Colonel Morrison, and sent a proclamation to Nancimond. 15th. Sent a proclamation to Isle of Wight county; the gentlemen from Accomack desired men. 16th. Sent to Mr. Kerney to speak with Gatlin, and a yawl to meet him at Nancimond. The master of the other Bristow ship came aboard; we could have no assistance from them; also Mr. Pethebridge and his men we reconciled; at night went and fetched Colonel Dew on board. 17th. Sent Colonel Dew home, and Mr. Prinn and the Accomack went on

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designs; and our sloop went to cruise. 18th. The country's sloop from Elizabeth River came down; provided her with powder and shot. Mr. Prinn brought one Iles and English, sent them to the Governor. 20th. The Surrey gentlemen and the Lower Norfolk came down, did little; had news Gatlin was coming, so we forbore sending boats to cruise as before. 21st. Mr. Kerney came and desired we would not assault Nancimond. 22nd. Captain Conset came in. 25th. A great ship of Bristow came in, on Mr. Cooper. 27th. Mr. Kerney came on board with letters from Gatlin. 28th. Sent to the Governor; at night we weighed (*sic*), Captain Teague and Mr. Pethebridge, but little wind. and we anchored. 29th. Saw several vessels come in to Point Comfort. 30th. Captain Gatlin came on board, where we concluded a peace, and he returned to his allegiance and took the oath. December 1st. The fleet came all out of Elizabeth River to James River; apprehended Mr. Greene. 2nd. Got to Newport Newes, but the rest were straggling. 3rd. The fleet came all up to us but Mr. Clements. 4th. At a Council it was resolved six sail should go to Nancimond, the rest up the river. 5th. Seized the Irish ship for the King, and anchored short of Warexqueck Bay. 6th. Went down to Colonel Bridger, where we heard the men of Nancimond had fought some of the rebels, and 15 men killed on both sides. 7th. Weighed and stood into Warexqueck Bay, and had several overturns with the rebels; sent Smith's vessel up. 8th. A flag of truce on shore, but we thought not to return answer (*sic*). 9th. We went ashore and found some 200 of the enemy, but on parley they suffered us to do what we intended quietly, so that the upland forces returned home. Sent down to Colonel Bridger for the forces to march up. 10th. Captain Conset got his sloop, sent Mr. Smith ashore to the guard on his parole, and fired a gun in the evening he came on board again. Captain Chamberlain went up. 11th. Sent Mr. Smith home, and went aboard the ships to advise them not to go ashore at night; fired a shot at the guard. 12th. The Quaker came on board, sent an express to Colonel Bridger, seized the Blessing Ketch, Mr. Pelton, of New England. 13th. Wrote to his Honor by Mr. Pelton. 14th. Captain Chamberlain came back and Mr. Moore came on board. 15th. Received letter from his Honor: 16th. At night went down to Colonel Bridger. 17th. Came up from Nancimond and left the sloop four miles below. 18th. Captain Conset went down to Nancimond in sloop. 19th. Captain Prinn went up with his sloop with some 40 men and two guns to take the bark. 21st. The sloop came down and brought Mr. James Mings. 23rd. Mr. Moore went to the Governor's. 24th. The rogues on shore sent us a daring letter, upon which we fired on them. 25th. Mr. Eps went home, Colonel Groves run from the guard, we fetched his colours, and sent 30 or 40 men out after him, who met him at one England's, and [? Captain Consett] shot him dead and brought away his horse, and England and three prisoners. 26th. A party went and plundered Groves' house and brought in what ammunition they could find, with 13 prisoners; summoned the other guard. 27th. Answer came they would send to their Major Rookins; we began to fortify our guard. 28th. Our men marched downward to secure the lower parts; the guard at Allen's brick house we hear

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is run away; letters from Rookins and from the Surrey gentlemen. 29th. We carried the fort, and at night our forces came up, being 120 foot and horse, not having been above 10 miles down. 30th. Our men went up to Surrey, and at night returned. 31st. Hail and very cold so that our men could not march, but we sent two pieces of ordnance up to Surrey guard, and the horse and foot rested. 1677, January 1st. We drew out 50 horse and 80 foot, and marched down to Nancimond to meet their forces, the rest to keep guard at the fort and to repair it. 2nd. We received letters from the Governor that he hath 1,000 men in Rappahanock. 3rd Dispatched a post to the Governor; a man killed in our upper fort. 4th. Our fort besieged by 300 or 400 men of the uplands at 12 at night, Colonel Bridger came up with the horse. 5th. Our foot came from Nancimond; at night we drew them aboard the ships to go up the river. 6th. The fleet of three ships one ketch and three sloops weighed, had advice of the enemy quitting the siege; our horse, about 60, marched up; sent the news to Nancimond. 7th. 3 a.m., news from Henrico of their rising for the King, and at noon letters from the Governor. 9th. Mr. Moore went to the Governor; bad weather. 10th. Letters from Nancimond. 11th. Went over to the Governor. 12th. Returned with letters from the Governor. 13th. Weighed, but got little higher up the river than Col. George's, and anchored. 14th. Sent a letter to Captain Bird, enclosed to Colonel Bridger, to go post haste to the guard, and about 9 apprehended Mr. Drummond. 15th. Advice that West and others were in arms for the rebels, and intended to surprise our fort. 16th. We marched to meet him, being 80 horse and 90 foot, and at noon we took him. 17th. We marched to Nancimond to settle that county, "and to confirm them in their truth." 18th. We returned with all our forces and several prisoners. 19th. We went to the Governor and carried him 15 or 16 principal rebels. 20th. Remained with the Governor. 21st. Returned from York, blew hard, could not get aboard. 22nd. Informed the rebels had quitted my sloop; sent for her, but she was all plundered and spoilt. 23rd. Weighed and turned up to James Town. 24th. Advice that Charles City County, returned to their obedience, and had taken the oath. 25th. Got up to Marchant Brandon. 26th. Anchored at Swinniards. 27th. Went to visit the Governor at Green Spring. 29th. The country being reduced we went about our own business, as per the Governor's proclamations. *Annexed,*—

1035. 1. An Account of seamen belonging to the Young Prince:—

	Monthly Wages.		
	£	*s.*	*d.*
Robert Morris, commander - -	6	0	0
Edward Bant, mate - - -	3	10	0
John Sanders, carpenter - - -	3	0	0
Thomas Burn, surgeon - - -	2	10	0
Charles Bradick - - -	2	0	0
Thomas Lucy, carpenter's mate - -	2	5	0
Richard Smith, boatswain's mate -	1	8	0
Hugh Williams - - -	1	7	0

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	Monthly Wages. £	s.	d.
John Kemp, cook	1	8	0
Robert Astin	1	7	0
Robert Montgomery	1	7	0
John Budge	1	7	0
Phillip Dodsworth	1	6	0
Thomas Lodington	1	8	0
Michael Bartlett	1	7	0
Robert Helverson	1	6	0
John Knight	1	6	0
William Peters	1	6	0
William Sadler	1	6	0
Benjamin Minor	0	15	0
	£37	9	0

12 *pp.* [*Col. Papers, Vol. XXXVII., No.* 52.]

Sept. 20. Whitehall. **1036.** Order of the King in Council. That Secretary Sir Henry Coventry forthwith prepare Warrants for the King's signature to pass under the Great Seal the Commissions herein described, viz.: A pardon for the Governor and Assembly at Virginia; Commission to the Governor for pardoning offenders; Commission for Sir Henry Chicheley to be Lieutenant-Governor; Commission to Major Thomas Fairfax to be Deputy to Sir Henry Chicheley; Commission to Sir John Berry, Francis Moryson, and Thomas Fairfax to inquire into grievances in Virginia; Proclamation about Nathaniel Bacon, the younger, raising rebellion in Virginia. Several Instructions to the Governor and Council about their pardoning Nathaniel Bacon, &c. *With this Mem.:* That Colonel Jeffreys was appointed Lieutenant-Governor instead of Sir Henry Chicheley, and Commissioner instead of Major Fairfax. 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 53; *also Col. Entry Bk., Vol. LXXX., pp.* 79–81.]

(Sept. 20.) **1037.** Report of Edward Randolph to the King. Account of the delivery of his Majesty's letter to the Boston magistrates [*see his letter of June* 17, *ante, No.* 953], with additions, viz., that only three of the magistrates uncovered while the letter was being read. Interviews with the Bostoners, many of whom showed themselves well-wishers to the King, though a report, which he confuted, had spread that the Duke of York with divers of the nobility had upon discontent left the Court and applied themselves to the City for assistance, and that all was going to confusion at home. Met a Mr. Harris, who, on his arrival from England about six months before, was brought before the Governor (the law directing all masters of vessels on penalty of 20*l.* to bring passengers before him), was asked about Mr. Mason's intentions, and was told by the Governor that he had heard that the King meant to send over Commissioners in the summer, but had not money to defray the charge. Gave a memorial to the Council, in which he suggested

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the assembling of a General Court, but had no other answer than that he should, when ready to sail, have a duplicate of their letter to the King. Went in July to New Hampshire (divided by the Bostoners into Norfolk, Suffolk, and Middlesex), and found general satisfaction with Mr. Mason's letters, and complaints of the oppression and usurpation of the Boston magistrates, not admitting them to the Lord's Supper, denying them Baptism and the liberty of choosing their own magistrates, as not being members of their congregations, sending twice a year magistrates from Boston to hear causes, and laying what impositions they think fit; the people hoped to be relieved according to the promises of the Commissioners in 1665. When at Portsmouth, on the Piscataqua, several of the principal inhabitants of Maine came to him and made the same complaints, some of them having been suffered to be ruined by the Indians for having expressed their duty to the King and taken commissions as Justices of the Peace from the King's Commissioners. Paid at his request a visit to Josiah Winslow, Governor of Plymouth, of loyal principles, and one who had shown great courage and conduct in the management of the Indian war; he expressed his disapproval of the carriage and encroachments of the Boston magistrates, and his opinion that New England could never be secure or serviceable to the King till reduced under his immediate government, to which Plymouth and Connecticut would readily submit. Found in Boston a general disposition towards the King, and complaints of the magistrates' arbitrary government, many not daring to express themselves openly, owing to the severe check received by those who signed a petition in 1666 asserting the King's jurisdiction (a copy of which is enclosed). Was reproved sharply, when ready to return for England, by the Governor for publishing the substance of his errand, and was charged with designs to make a mutiny in the country; replied that if he complained to the King, he would have justice done him; received the duplicate letter. Was at his departure entreated by the Governor and some of the magistrates severally to give a favourable report of the country and magistracy, and was desired to tell the King that, spite of the reports of evil-minded men, they were a people truly fearing the Lord and obedient to the King. Refers himself to their answer wholly, the magistrates not having thought fit to acquaint him with the contents thereof. 9 *pp. Three copies.* [*Col. Papers, Vol. XXXVII., Nos.* 54, 55; *also Col. Entry Bk., Vol. LX., pp.* 162–173.]

Sept. 25. Whitehall. **1038.** The King's pardon to the Governor and Assembly of Virginia for consenting to the passing of several Acts by the violent compulsion of Nathaniel Bacon and his complices, and for granting Commissions to the said Bacon to command forces there. [*Col. Entry Bks., Vol. LXXX., pp.* 91–93, *and Vol. XCV., pp.* 129–131.]

Sept. 25. Whitehall. **1039.** Warrant to [the Attorney-General]. To prepare a Bill for the King's signature to pass the Great Seal, authorizing and appointing Governor Sir William Berkeley to pardon all treasons,

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felonies, and offences relating to the present war in Virginia, to all persons guilty of same except Nathaniel Bacon. *With Mem.*, that the Great Seal bears date October 10, 1676. [*Col. Entry Bks., Vol. LXXX., pp.* 97, 98, *and Vol. XCV., pp.* 137–139.]

Sept. 25. Barbadoes. **1040.** Governor Sir Jonathan Atkins to the Lords of Trade and Plantations. Has received a Commission of Oyer and Terminer for the trial of Colonel Philip Warner for killing Colonel Thomas Warner and divers Indians in Dominica, there being no other inhabitants upon that Island. Sent General Stapleton a copy of his Majesty's orders, but will refer their Lordships to the report of the proceedings on the trial, copy of the record of which he encloses. Warner denied the whole fact and left it to proof, which with art enough on all sides was easily carried, for, the first informer being gone or carried away, it was easy to persuade others who were in the action that by accusing Warner they would condemn themselves. The matter of fact is most evident, though it may be with all circumstances not so; leaves it to his Majesty and their Lordships' judgments to determine. It has taken away a kind of outwork which secured the people of this Island when they went for wood and other necessaries, and doubts those gentlemen of the Leeward Isles will sleep very quietly, for the Indians never forget or forgive injuries. *Encloses,—*

1040. I. *Transcript of all the Orders and Records in order to the trial of Colonel Philip Warner in Barbadoes,* 1676, *June* 14—*Sept.* 8. *Certified copy. Mich. Figes, Cler. Coron.* 12 *pp.* [*Col. Papers, Vol. XXXVII., Nos.* 56, 56 I.; *also Col. Entry Bk., Vol. VI., pp.* 120–138.]

Sept. 28. Whitehall. **1041.** Lords of Trade and Plantations to his Majesty's Commissioners for the affairs of Virginia. Refer to their letter to Governor Berkeley of 14th April last for answers to several heads of inquiry concerning the Colony and direct them to join with him to expedite an answer thereto. [*Col. Papers, Vol. XXXVII., No.* 57.] Copy of preceding with memorandum. His Majesty being informed by letter that one, Nathaniel Bacon, had raised a mutiny and rebellion against the Government, was pleased to appoint Commissioners for settling the affairs of that Colony and enquiring into the grievances which, as it was said, occasioned the sedition there, whereupon their Lordships, taking notice that Sir William Berkeley had made no answer to their letter of 14th April last [*see ante, No.*884], enclosing several heads of enquiry, desire the Commissioners at their arrival in Virginia to expedite an answer thereto. [*Col. Entry Bk., Vol. LXXX., pp.* 78, 79]. The following memorandum, "On 16th October 1676 was delivered to Sir John Berry the (above) letter of 28th September to expedite answer from Sir William Berkeley of several papers, duplicates whereof were enclosed," is in [*Col. Entry Bk., Vol. CIV., p.* 227.]

Sept. 28. Port Royal. **1042.** Journal of the Council of Jamaica. Information of his Excellency that he had received intimation from Sir H. Morgan of matters of public concern which Captain William Bragg would depose

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against Sir Thomas Modyford, that orders had been given to the Provost Marshal to summon said Bragg to be examined, but he could not find him; ordered that Colonel Thomas Ballard and Lieutenant-Colonel Samuel Long send for said Bragg, and after having examined him proceed according to law. On request of the Council that the Governor's Commission be recorded in the enrolment office and his instructions entered in the Council book, to the end they might the better know their duties, his Excellency promised it should be done. On petition of Charles Smart, the Council of opinion that no letters of administration granted in England should repeal those granted here until they were recalled by the ordinary of the Island. On petition of John Guapin, Attorney, to George Gosslin in Old England, ordered that the Treasurer without further warrant pay to said Gaupin the 100*l.* sterling paid into the Treasury by Colonel Thomas Freeman being the appraisement of the real estate of James Gosslin, deceased, to whom said George is brother and heir. Ordered that the accounts of the revenue from the Treasurer be examined by a Committee of the Council who are named. That a patent be drawn for William Parker for a ferry over the salt and fresh rivers. The King's Instructions to John Lord Vaughan, Governor of Jamaica, dated 3rd December 1674, *abstracted under that date in the previous volume of this Calendar, see No.* 1398. [*Col. Entry Bk., Vol. XXXV., pp.* 514–531.]

Sept 29. Whitehall. **1043.** Secretary Coventry to the Lord High Treasurer. Is commanded to signify his Majesty's pleasure that the charges and fees for passing the Privy Seal for 1,500*l.* to the three Commissioners appointed to go to Virginia, as also 100*l.* for a clerk to serve them, be all paid out of the Dormant Privy Seal or otherwise as his Lordship shall direct so as the Commissioners may receive said sum of 1,500*l.* without any abatement whatsoever. ¾ *p.* [*Dom. Entry Bk., Chas. II., Vol. XXVI., p.* 213.]

Sept. 30. **1044.** The King to the Duke of York or Commander-in-Chief under him of the Colony of "New York in the West Indies." It is not unknown to him that Nathaniel Bacon the younger has made himself the head and leader of a rebellion in Virginia, which, if not suppressed and punished, may spread its infection into the neighbouring plantations. If said Bacon or any of his accomplices shall retreat or resort to New York, they are to be forthwith seized and notice given to the Governor of Virginia. [*Col. Entry Bks., Vol. LXXX., pp.* 108, 109, *and Vol. XCV., p.* 152.]

Sept. 30. **1045.** The King to Charles Lord Baltimore, proprietor of Maryland. Notifying the rebellion of Nathaniel Bacon, the younger, and directing the seizure of him or any of his accomplices should they take refuge in the Province of Maryland. [*Col. Entry Bks., Vol. LXXX., p.* 110, *and Vol. XCV., p.* 153.]

Sept.—Nov. Whitehall. **1046.** Journal of the Lords of Trade and Plantations. Reports read from Commissioners of Customs, and ordered that passes be granted for the Dorothy and the John and Christopher of Dart-

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mouth, the Bachelor of Topsham and the Hope of Plymouth, all for Newfoundland. [*Col. Entry Bk., Vol. CIV., pp.* 218, 236, 239.]

Oct. 2. Office of the Ordnance.

1047. Estimate of the charge of Ordnance Ammunition and other stores and provisions of war to be forthwith issued out of the King's stores and sent to Virginia, besides those ordered to be sent thither by the warrant of the Lords of the Council of 21st July last, according to a former estimate presented 14th June 1676. Total, 2,238*l.* 2*s.* 0*d.* *Signed*, Edward Sherburne, Jonas Moore, and Edward Conyers. *Endorsed*, "Read, October 3rd, 1676." 2 *pp.* *With the marginal note*, "Estimate of stores sent to Virginia." [*Col. Papers, Vol. XXXVII., No.* 58; *also Col. Entry Bk., Vol. LXXX., pp.* 70–72.]

Oct. 3. Whitehall.

1048. Order of the King in Council. That Sir Thomas Chicheley, Master of his Majesty Ordnance, do cause certain stores [*as per preceding Estimate*] to be forthwith provided and transported to Virginia and delivered to the Governor there. [*Col. Entry Bk., Vol. LXXX., pp.* 72, 73.]

Oct. 3. Whitehall.

1049. Warrant to the Attorney-General. To prepare a Bill for his Majesty's signature containing a Commission (as herein set forth) to Herbert Jeffreys, Sir John Berry, and Francis Moryson, to inquire into grievances in Virginia. 4 *pp.* [*Col. Entry Bk., Vol. XCV., pp.* 117–120.]

Oct. 3. Whitehall.

1050. The King's Commission to Herbert Jeffreys, Sir John Berry, and Francis Moryson. Whereas great divisions and distractions have arisen and great disorders have been committed in Virginia, and having been informed that these evils have in a great measure been occasioned by grievances which our good subjects have lain under, the particulars whereof are yet to us unknown; and because by reason of the great distance of said plantation, our good subjects there cannot easily make known to us their grievances, we, being willing to be informed of the premises, to the end we may apply fit and speedy remedies, do appoint Herbert Jeffreys, Sir John Berry, and Francis Moryson, our Commissioners to inquire into and report unto us all such grievances and pressures which any of our loving subjects have suffered or do suffer, and especially all causes which have occasioned the late rebellion, with power to receive informations brought to them; also to inquire by examination of witnesses upon oath or by other ways into all grievances and pressures aforesaid and all other things which have occasioned the late rebellion and to report their opinion or any two of them touching the premises, to the end we may give orders for redress of said grievances and for the future well government of the plantation. With power to send for such persons, papers, and records as may be useful for the better carrying on of our service hereby intended, willing and requiring our Governor, his Deputy Governor, and all Officers within said plantation to be aiding and assisting in the execution of this Commission. And, lastly, that said Commissioners carefully observe such

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instructions as have been or shall be given or sent to them in writing under our royal signet and sign manual. [*Col. Entry Bk., Vol. LXXX., pp.* 83–85.]

Oct. 3. Whitehall. **1051.** The King's Commission to Sir John Berry. Whereas we have thought fit to send ships and forces to Virginia for suppressing the rebellion and reducing the rebels there, we hereby appoint you our Commander-in-Chief at sea for that expedition. You are therefore to take upon you and execute that command according to the best of your judgment and experience for our service. [*Col. Entry Bks., Vol. LXXX., p.* 121, *and Vol. XCV., pp.* 166, 167.]

Oct. 3. Whitehall. **1052.** Order of the King in Council. Approving certain Commissions and a pardon relating to his Majesty's Colony of Virginia (*all of which are calendared*) and directing the Lord Chancellor of England to cause the Great Seal to be affixed to said Commissions and Pardons. [*Col. Entry Bk., Vol. LXXX., pp.* 81, 82.]

Oct. 3. **1053.** "Mr. Secretary Williamson's notes concerning the expedition to Virginia." The levying of the men. Captain Jeffreys, with the help of the other four captains and their officers, to raise 500 men in a fortnight at 20*s.* per man, to bring them to the Tower as they are raised, and as mustered 25 at a time to enter into the King's pay at 8*d.* per diem, to be sent off from the Tower on ship board as soon as they come to the number of fifty, an officer with a guard going with them. Beds, pillows, rugs, and blankets to be provided for the 500 old men as well as for the 500 new men, Captain Jeffreys to be trusted with the money to pay according to the rates agreed on with the navy. The ships to be below Gravesend before taking in the men. Estimate of clothes, victuals, &c., to be provided by Captain Jeffreys, for the 1,000 soldiers, the money to be furnished by the Lord Treasurer. The pay of the men when in Virginia. Contingencies, surgery, boats to land the men, stores of war. Commissions to be prepared for the officers of the five companies according to the names to be given in by Mr. Locke. Establishments to be prepared by Mr. Locke. 8 *pp. Two copies; one copy with corrections in Secretary Williamson's hand, the other being a fair copy.* [*Col. Papers, Vol. XXXVII., Nos.* 59, 60.]

Oct. 4. Newmarket. **1054.** Four Commissions appointing respectively John Tonge, Quartermaster, Jonathan Grover, Surgeon, William Clerk, Chaplain, and William Morris, Adjutant, to the five companies of footguards employed by the King in an expedition to Virginia under the command of Captain Herbert Jeffreys. [*Dom. Entry Bk., Car. II., Vol. XXIX., pp.* 183, 184, 188, 189.]

Oct. 4–8. **1055.** Commissions to the Officers of the five Companies of Foot in his Majesty's Regiment of Guards to be employed in the expedition to Virginia, of which Captain Herbert Jeffreys is Commander-in-Chief, and William Earl of Craven, John Earl of Mulgrave, Sir Charles Lyttleton, and John Russell are Colonels;

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viz., Thomas Fairfax, William Meole, Charles Middleton, John Muslowe, and Edward Picks, Captains; Francis Hellin, Walter Morgan, Henry Taylor, John Tonge, and — Webb, Lieutenants; Thomas Moile, Edward Rouse, Thomas Sanders, John Thorne, and Thomas Trousbeck, Second Lieutenants; and George Ange, John Jeffreys, William Matthews, Edward Savile, and Thomas Seymour, Ensigns. [*Dom. Entry Bk., Chas. II., Vol. XXIX., pp.* 166–183, *and p.* 190.]

October ? **1056.** "Account of how many of the five hundred soldiers now to be sent to Virginia are of the regimented and how many of them are of the non-regimented companies." Names of the places from whence they are drawn, and the numbers of soldiers. Also of the regimented and non-regimented companies. 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 61.]

October ? **1057.** Estimate of the immediate clothing for six Corporals and three Drummers of each Company, being in all thirty Corporals and fifteen Drummers. Total, 89*l.* 12*s.* 6*d.* For magazine clothes, computed for forty-five men, 71*l.* 5*s.* Total, 160*l.* 17*s.* 6*d.* 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 62.]

October ? **1058.** Estimate of the Charge for the immediate clothing of the soldiers and magazine of cloth under the Commissary of Victuals for the expedition to Virginia. Total, 3,200*l.* Besides for bedding and clothes for 30 Corporals and 15 drums (*sic*) and bedding for 30 Sergeants. 1 *p. Two copies.* [*Col. Papers, Vol. XXXVII., Nos.* 63, 64.]

October ? **1059.** An Account of the draught of soldiers for the ships for Virginia, being 24 Companies of the Regiment of Foot Guards and 12 Companies of the Coldstream Regiment of Guards, in all 425 soldiers. 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 65.]

Oct. 7. Newmarket. **1060.** The King to Captain Herbert Jeffreys. Orders in reference to the new levies of men, in part of the five hundred volunteers he is to raise for the King's service in Virginia, who are to be lodged in the Tower of London and paid at the rate of 8*d.* per diem each man until there be twenty-five men, when they are to be mustered, and as their numbers increase to embark by fifty or somewhat more from Tower wharf until they be carried below Gravesend and there put aboard the ships which are to carry them to Virginia. Also orders after the landing of "your men" in Virginia in reference to the victualling of the soldiers and the keeping of exact accounts, "which you are to cause to be defalked for out of their pay after their landing, although the soldiers be allowed victuals aboard ship without any defalcations, . . . and you are to take care that meet defalcations be made for any of the said magazine clothes out of their pay that use them." [*Col. Papers, Vol. XXXVII., No.* 66.]

Oct. 7. Newmarket. **1061.** "Establishment of the forces for the expedition to Virginia," as settled by his Majesty. To consist of five companies,

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of two hundred soldiers and officers for each Company, with a Deputy Paymaster, Chaplain, Surgeon, and Quartermaster, at a total cost of 16,139*l.* 1*s.* per annum. [*Col. Papers, Vol. XXXVII., No.* 67.]

Oct. 7. Navy Office. **1062.** Estimate of the charge of transporting 1,000 men from hence to Virginia, including victuals and freight, also for providing brandy, bread, and cheese for victualling said 1,000 men for three months after their arrival. Total, 8,068*l.* 6*s.* 2 *pp.* [*Col. Papers, Vol. XXXVII., No.* 68.]

1063. Secretary Coventry to the Lord High Treasurer. It having been resolved last night at the Committee of Foreign Affairs that the contingent money for the forces going upon the present expedition to Virginia should be issued out of the Warrant of Captain Jeffreys the Commander-in-Chief, takes the liberty to acquaint his Lordship, that he may give such orders as he shall think fit. ½ *p.* [*Dom. Entry Bk., Chas. II., Vol. XXVI., p.* 214 *d.*]

Oct. 7 ? **1064.** Account of his Majesty's Orders passed in Secretary Coventry's office concerning the expedition to Virginia. *Endorsed:* "Recd. 30 Oct. 1676 at 9 of clock at night." To Lords of the Admiralty approving estimate prepared by officers of the Navy, and directing the shipping of the soldiers in Long Reach. For adding 77 non-commissioned officers to be provided in the same manner as the 1,000 men. For two months provisions over and above the three months allowed by the estimate for the whole number of men employed in this present expedition. To the Master of the Ordnance for providing 1,500 "swyns feathers." Commissions for five Captains, five Lieutenants, five Second Lieutenants, and five Ensigns; also for a Surgeon. "The names we have from Mr. Locke." To the Master of the Ordnance for providing 30 hoes "to be passed;" also bags or sacks instead of baskets. For three and fifty men more to be added to the 1,077, and to be provided for in the same manner in every particular. *Endorsed,* "Recd. 30 Oct. 1676 at 9 of clock at night." 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 69.]

Oct. 10. Westminster. **1065.** Grant of pardon to the Governor and Assembly of Virginia. Whereas Nathaniel Bacon the younger, of Virginia, combining with divers indigent and seditious persons in the month of June last, traitorously levied war against his Majesty and his Government, and with his complices, to the number of 500, beset the Governor and Assembly of said plantation in the Statehouse in James City, and said rebels holding up their muskets ready charged and cocked, threatened to murder the said Governor and Assembly unless they would grant a commission to said Bacon constituting him Commander-in-Chief of certain forces to be raised, and would pass certain pretended Acts which were offered them by said Bacon and his adherents, and more particularly one whereby the said rebels might be pardoned for their said treason, all which

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Acts said Governor and Assembly were (for fear of their lives) compelled to pass. And though his Majesty is satisfied that his said Governor and Assembly were not guilty of any ill-affection towards him in passing said pretended Acts, yet that they may not be subject to any question or be in danger of any punishment for their assent to said pretended Acts and for granting said pretended Commission, his Majesty hereby pardons them, in as ample manner as if their names were particularly mentioned, for all crimes and misdemeanours by any of them committed about the passing and granting of said pretended Acts and Commission, and from all punishments, &c., by reason of the premises. And these Letters Patents shall be taken most favourably for said Governor and Assembly. 1 *Memb.* [*Pat. Roll*, 28 *Car. II., pt.* 1, *No.* 10.]

Oct. 10. Westminster. **1066.** The King's grant to all his subjects inhabiting the Colony of Virginia:—That they shall have their immediate dependence on the Crown of England under such Governors as his Majesty, his heirs and successors, shall appoint, and upon no other person. The Governor to be resident in that country unless his Majesty shall command his presence in England or elsewhere, in which case a Deputy shall be chosen as hath been used, unless his Majesty shall nominate such Deputy. And if any Governor die another may be chosen as hath been used until his Majesty shall appoint a new Governor. All lands now possessed by the several planters or inhabitants shall be confirmed to them and their heirs for ever where any man's interest shall not be prejudiced thereby. And for the encouragement of such as shall go to dwell in said plantation there shall be assigned to every such person 50 acres as hath been used, to be held of his Majesty in free and common soccage. All lands that shall escheat to his Majesty shall be enjoyed by the possessor and his heirs for ever, paying 2 lbs. of tobacco for every acre, which is the rate set by the Governor. And the Governor or Deputy and Council, or any five of them, whereof the Governor or Deputy to be one, shall have power to hear and determine all treasons, murders, felonies, and other offences committed within said government, and proceed therein as near as may be to the laws of England. And lastly every clause in these Letters Patent shall be construed in the most beneficial sense for the advantage of his Majesty's subjects of Virginia, as well against his Majesty as against every other person. 1 *Memb.* [*Pat. Roll*, 28 *Car. II., pt.* 1, *No.* 11.]

Oct. 12. **1067.** Answer of Edward Randolph to several heads of inquiry concerning the present state of New England. I. *Boston.*—(1.) The Government, the legislative power, is seated in a general court, consisting of the Governor, Deputy Governor, 10 magistrates and deputies from the towns, which is the supreme judicature; the Governor, Deputy Governor, and magistrates are chosen every year by the freemen of the Colony, the deputies by the freemen of the towns which have more than 20 freemen; no attorney can be chosen deputy; none but church members can be freemen; no law can be made without the consent of the major part of the magis-

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trates and deputies; the Governor has a casting vote, and can summon any Court at his pleasure. The executive power is vested in the Governor and Council, which sits twice a week; there are two Courts of Assistants a year to hear appeals and capital cases, and county courts to hear smaller charges; the Governor and Deputy Governor agreeing, or three magistrates consenting, can reprieve a condemned criminal till the next General Court; every magistrate is a Justice of the Peace, and can determine any cause under 40*s.*, and commit to prison for breach of the laws; the Governor and magistrates at all assemblies have a public table kept, and their necessary expenses borne at the charge of the Colony; insult to the established authority is punished by fine, whipping, imprisonment, disfranchisement, or punishment, treason to the State by death; as a mark of sovereignty they coin money of four sorts, stamped with "Massachusetts" and a tree in the corner on one side, and "New England" with the year "1652" and the value of the coin on the other (1652 is the era of their commonwealth); the transportation of this money is forbidden on penalty of confiscation of goods; commissions are made out by the Governor, with the consent of the Council; passes by the Governor alone, with copy of the forms of commissions and passes. (2.) Laws contrary to those of England. The magistrates do not mind the letter of the law where their public interest is concerned; they regard more the quality and disposition of the persons than the nature of the offence, and can see no evil in church members, against whom it is difficult to get a verdict; it is accounted a breach of their privileges to urge the observation of the laws of England; the laws most contrary to the laws of England are,—excommunicated and condemned persons may make wills; the word of God is the law to be followed in capital cases where there is no other; an injunction in point of doctrine cannot be put on a church officer; the observance of Christmas Day and other festivals and non-attendance at their meetings on Sunday are punished; pressing is forbidden except in wars enterprised by the commonwealth; only magistrates are permitted to join persons in marriage; strangers fleeing from religious persecution are to be protected, thus Whalley, Goffe, and others were received by Mr. Guggins and other magistrates; possession of land for five years gives a title; no oaths to be required except those commanded by the General Court. The only oaths are those of fidelity to the government imposed on all persons, strangers, and inhabitants; the oaths of allegiance and supremacy are not taken, sends copies of the oaths of a stranger and an inhabitant. (3) Number of church members, freemen, inhabitants, servants, professions, estates, men able to bear arms. Number of church members compared with the dissenting party very inconsiderable, not more than a sixth of the whole; the most wealthy of all professions are well affected to the King, only interest drawing the people to think well of the religion and government; inhabitants (including Hampshire and Maine) about 150,000; professions and mechanical arts of all kinds thrive well; about 30 merchants are esteemed worth from 10,000*l.* to 20,000*l.*; no servants but on hired wages, except a few who

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serve four years for the charge of being transported thither; not above 200 slaves and these brought in their own ships from Guinea and Madagascar; 30,000 and 40,000 able to bear arms, 4,000 in Boston. (4.) Military forces. No standing army, but only trained bands, 12 troop of horse and 6,000 foot, 160 men besides officers in a troop; there are no pikemen, they being of no use against the Indians; the pay in time of war is 6*l.* a month to a captain of horse, 4*l.* to a foot captain, 1*s.* a day beside victual to a common soldier, in peace the officers have an allowance for their expenses on muster days; the present Governor, Leverett, the only old soldier in the service, having served as a captain of horse under Cromwell; the Governor is always General, the Major-General is chosen from the magistrates, they are places of good profit and no danger, as they stay at home and share the spoil while younger men command in the field. (5.) Castles and forts. Three miles from Boston on an island a castle with 38 guns and a battery of six, commanding the entrance to the channel; none can sail out of Boston without sending the Governor's pass to the captain for which 10*s.* is paid or 14*s.* if it is a Bill of Health; a small brick fort at the south end of Boston with 12 guns but of little use; a platform on the north side commanding the river mounted with five demi-culverins and two small guns; a small fort at Marblehead, but of little use; at the mouth of the Piscataqua is a fort with five guns built by John Mason; every vessel above 20 tons not belonging to the inhabitants of the Colony pays ½-lb. of powder the ton or 9*d.* in money; in the stores are 1,000 barrels of powder and 6,000 small arms lately come from England; a powder mill at Dorchester, and great quantities of salt-petre on the islands and swamps, the powder good as English, the master of the work Eversden formerly of Battle in Sussex; great guns have formerly been cast but the works fell from a quarrel of the undertakers; plenty of iron ore and as good iron made as in Spain, six forges for ironmaking. Boston built in a very strong position, easily defensible. (6.) Boundaries. The present limits are as large as the government please to make them, who declare that they do not yet know the boundaries of their commonwealth, spite of the Commissioners' decision in 1665. (7.) Relations with their neighbours the French and New York government. The Boston people continue a private trade with the French and Indians and openly keep on their fishing on the coast of Acadia, though forbidden by the French King's Lieutenant; last year the French Governor, La Bourn, inhibited this trade and laid an imposition of 400 cod on vessels fishing on their coasts; the Boston government imposes on the French and encourages an interloping trade, causing to the inhabitants dread of a French invasion, and looks on the French with an evil eye, believing they had a hand in the Indian wars; there have been disputes with New York so that trade is stopped between the two governments; a great outcry was made against the Fort Albany for supplying the Indians during the war, but it is supposed to be malicious; the New York government was very friendly during the war and Colonel Andros offered to engage the Mohawk and Maquot Indians against Philip, but his offers were slighted, nevertheless, he kept these Indians from taking part with Philip.

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(8.) Causes of the war with the Indians. Various reports; some attribute it to an imprudent zeal in the magistrates to Christianise the Indians and an over strict enforcement of the laws against drunkenness, some to the machinations of vagrant and jesuitical priests stirring up the Indians to extirpate the English, some to injuries offered to Philip; the Massachusetts government declare the causes to be punishment for the breach of the fifth commandment, for men wearing long hair and periwigs made of women's hair, for women wearing borders of hair and for cutting, curling, and laying out their hair and disguising themselves by following strange fashions in their apparel, for profaneness in the people in not frequenting meetings and for going away before the blessing, and for suffering the quakers to live among them; the English have contributed much to their misfortunes by teaching the Indians the use of arms and admitting them to muster; the praying Indians have been the most barbarous enemies, their leader, Captain Tom, being lately hanged at Boston; notwithstanding the law of 1653 forbidding arms to be sold to the Indians the Massachusetts government have granted licences to sell; in the war 600 English have been slain many of loyal principles, the church members having liberty to stay at home and not hazard their lives in the wilderness; the loss is reckoned at 150,000*l.*, 1,200 houses burnt, 8,000 cattle killed, many thousand bushels of grain burnt, of which the Massachusetts has not been damnified one third part, the loss falling on Plymouth and Connecticut; the war is now ended and a peace of amity made with the Indians. (9.) Commodities, imports, trade, &c. Commodities consist chiefly of naval stores, cattle, and provisions, which are exported to Virginia, Jamaica, Maryland, Barbadoes, Nevis, St. Christopher's, Antigua, &c. (to which are sent "houses ready framed"), Spain, Portugal, the Straits and England; tobacco, sugar, indigo, cotton-wool, ginger, logwood, fustic, cocoa, and rum are imported and again transported. They trade with most parts of Europe from which they directly import all kinds of merchandise, so that little is left for English merchants to import; some ships have been sent to Guinea, Madagascar, &c., and some to Scanderoon; there are built in the Colony 730 ships varying from 6 to 250 tons, there are 30 master shipbuilders; no notice is taken of the Navigation or Plantation Acts. (10.) Taxes, fines, duties, revenue. There is a poll-tax of 1*s.* 8*d.* a head, a land-tax of a penny in the pound, merchants' estates being rated at the common estimation, workmen at their wages, and strangers at the value of their cargo; there are also fees in law-suits varying from 20*s.* to 10*s.*; magistrates, ministers, and elders pay no taxes; there are duties on provisions and wines imported, and on ships, taxes on the selling of wine and beer and fees for licence to sell ammunition to the Indians; no custom on exports except on horses; the revenue is computed at upwards of 20,000*l.* and is disposed of as the Governor and magistracy think fit without giving any account to the country; 50,000*l.* was raised for the Indian war; the duties, taxes, &c., are commonly paid in money; there is a reasonable quantity of silver monies, but no gold. (11.) How generally affected towards the English government. The inhabitants are generally desirous of submitting to

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a general government to be established by the King; some of the magistracy are well affected, but the rest are of different principles, as, Governor Leverett, Deputy Governor Symonds, [Thos.] Danforth, [Edw.] Ting, Major Clark, Hawthorn (continued a magistrate spite of a summons to England); these, who with a few others of the same faction keep the country in slavery, have continually disobeyed the King's letters of 1662, 1664, 1665, 1666, and of March last, reserving a power to alter or disannul any law not agreeable with their humour; the most popular and well-principled men are Major Dennison, Bradstreet, and Dudley in the magistracy, and of military men, Captains Curwin, Saltonstal, Brattle, Richards, Gilham, Mosely, Majors Savage, Champernoon, Shapleigh, and Phillips; the rest of the magistracy are Pinchon and Stoughton; the magistrates generally continue in office till death by virtue of a law commanding the former magistrates to be first put to vote at elections; the clergy civil and well inclined to the King, but kept under by the ruling elders. (12.) Ecclesiastical Government, Universities, &c. Church government is in the hands of lay elders; the formation of a church not allowed without the approbation of three magistrates and the elders of neighbour churches; every church has liberty of electing and ordaining officers and ministers, of exercising God's ordinances according to the scripture, of celebrating days of fasting, &c.; no injunction put on any church besides the institution of the Lord; there is liberty of admission and expulsion, but the civil authority has power to see the peace, ordinances and rules of Christ observed; no church censure degrades a man from any civil post; interrupting a minister is punished by a fine of 5*l.*; the Boston ministers are paid by a collection, the others by a rate. There are three colleges at Cambridge, seven miles from Boston, one of timber covered with shingles of cedar at the charge of Mr. Harvard and bearing his name, one a small brick building called the Indian College, where some few Indians did study, but now converted to a printing house. New College built at the public charge and covered with tiles, not quite finished by reason of the late Indian war, containing 20 chambers for students, two studies in a chamber, a hall for chapel, a convenient library with books of the Fathers and school divines, and many English books of the late nonconformist writers, especially Mr. Baxter and Dr. Owen; here they teach Hebrew before they well understand Latin, no formalities or distinctions of habits or other decencies as in England, much less those exhibitions and supports for scholars; they take no degree above Master of Arts; their commencement is kept yearly on August 2nd in the meeting-house at Cambridge where the Governor and Magistrates are present, attended with throngs of illiterate elders and members who are entertained with English speeches and verses; most of the students are come from England and at present no settled President, but Mr. Oakes, a rigid Independent, supplies his place; the President's allowance is 100*l.* a year and a good house; there are but four fellowships, the two senior have 30*l.* per annum, the two junior 15*l.*, but no diet allowed; these are the tutors: Mr. Thomas Graves, an ingenious and worthy person, was put by his fellowship by the late President, Dr. Hoare, for refusing to

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renounce the Church of England; the Government of the colleges is in the hands of the Governor and Magistrates. II. New Plymouth and Connecticut. The laws of England are observed, the oath of allegiance taken, writs, &c., in the King's name; inhabitants about 80,000, there are no slaves; few merchants, the Colonies being supplied with commodities from Boston; number of men fitting to bear arms about 20,000; the country fertile; a great quantity of whale oil is made there; the Navigation Acts are observed, they have no ships of burthen; the people are loyal; the Governor of New Plymouth, Winslow, is popular and was General of the united forces against the Indians; the Connecticut Governor is William Leet; the losses the Colonies have sustained amount to near 100,000*l.* 16 *pp. Endorsed,* "Read 16th November 1676." *Part printed in Palfrey's New England III.,* 240. [*Col. Papers, Vol. XXXVII., No.* 70; *also Col. Entry Bks., Vol. LX., pp.* 114–161, *and Vol. CIV., p.* 250.

Oct. 13. Whitehall. **1068.** The King's additional Instructions to Sir William Berkeley, Governor of Virginia. 1. To be no more obliged to call an Assembly every year but only once in two years unless upon some emergent occasion; also fourteen days shall be prefixed for their sitting and no longer. 2. To take care that the members be elected only by freeholders. 3. To endeavour to make a good peace with the neighbour Indians, and to make use of the assistance of the Commissioners, whom he shall treat with all due respect and provide them with a convenient house and lodging. 4. Not to suffer any one, during these troubles, to go on board any merchant ships. 5. Immediately on the arrival of the Commissioners to call a new Assembly. 6. To declare null and void all proceedings of the late Assembly, wherein Bacon and his accomplices were pardoned and force and violence offered to the Assembly. 7. To summon and seize Bacon and proceed to his trial or send him hither as may be judged most convenient. 8. In case Bacon refuse to surrender himself, immediately to publish his Majesty's proclamation and endeavour to surprise Bacon. 9. To reduce to a moderate proportion the salary of the Assembly members. 10. To give once a year an account to the Lords of Trade and Commissioners of Customs of those several things directed in his former Instructions. *Mem.*—The Commissioners going away before Colonel Jeffreys, carried these Instructions with them. [*Col. Entry Bks., Vol. LXXX., pp.* 111–114, *and Vol. XCV., pp.* 154–158.]

Oct. 13. Whitehall. **1069.** Secretary Sir Joseph Williamson to Secretary Coventry. Sends part of the Flanders mail. The other larger paper is copy of one left this evening by the Virginia Agent, being an account of the state of things in that Colony on the 10th August, as it is brought by Evelyn's ship, which has been long expected, and to which the agents have referred them for a full account of things. *Extract.* [*Dom. Entry Bk., Chas. II., Vol. XLIII., p.* 119.]

Oct. 18. Boston. **1070.** Governor Leverett "with the consent of the Council" to Sir Joseph Williamson. Received the King's letters of 18th February

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1675–76 on 3rd September last, referring to the memorial of the Dutch Ambassador, which were communicated to the General Court. Have drawn up a bare narrative of the transaction without any plea to be presented to the King, and have committed it to William Stoughton and Peter Bulkley; request him to be assistant in their accesses to the King and dispatch of this and other business. 1 *p., with seal.* [*Col. Papers, Vol. XXXVII., No.* 71.]

[Oct. 18.] **1071.** "Answer of the Governor and Council of Massachusetts to the complaint of the Extraordinary Ambassador of the States-General, 22nd January 1675–6, which came to our hands 8th September 1676." [*The Ambassador's complaint is dated 26th July/ 5th August* 1675, *see ante, No.* 821 I.] Captain Jurian Aronson, commanding the ship Flying Posthorse of Curaçoa, came into the Massachusetts harbour in 1674 and asked permission of the Governor to come up to Boston to repair and revictual his ship, he having been at the River Pantagoult, and there made himself master of the fort and brought the French Governor his prisoner, showing his commission, which was against English as well as French. The Governor, having the proclamation of the peace, granted him permission, and he informed the Governor that he had not left any men to keep possession of his conquest, but had dismantled the fort and brought away the guns. On his taking leave the Governor asked him if he had given commission to any to keep any part of that country, or had given a copy of his commission to that end, but he said he had not, nor would he make himself liable for others' actions; this was in October 1674. He left in Boston several that had been in his company; among them John Rhodes, a Boston man, Cornelius Andreson, a Dutchman, and Peter Rodrigo, a Flanderkin. John Rhodes, said to be the principal, told the Governor he was going a trading to the eastward, but not to take vessels coasting and trading there, that they had no commission to do so. In December following William Waldron complained that coming homewards Andreson, Rhodes, and others fired two guns at him and commanded him to anchor; they came on board and forcibly took peltry to the value of about 60*l.*, carried himself and goods to their vessel, and made him set his hand to a writing drawn by John Rhodes that they had taken nothing but peltry, and had taken it in New Holland. In February 1674–75 John Freak, merchant, complained that a small vessel of his, under command of George Manning, on the voyage home from the eastward, was, in the river of St. John, by John Rhodes and some Dutchmen, his complices, in December last, piratically seized and the master wounded. Several others, of the Massachusetts jurisdiction also complained and asked that measures might be taken for security. Whereupon the Governor commissioned Captain Samuel Moseley, who took John Rhodes, Peter Rodrigo, Peter Grant, Thomas Mitchell, and Edward Young in Thomas Mitchell's vessel, and afterwards the other vessel with Cornelius Andreson, John Thomas, and John Williams, and returned to Boston 2nd April 1675. Examined by the Governor and Council,

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they owned the seizing of the goods, but denied that they had done it piratically, and Peter Rodrigo produced a paper with three seals. Cornelius Andreson produced another without seals for liberty to trade, keep the country, and sail on the coast, for which they were not seized, but for piratically seizing vessels, and so were committed to trial. Peter Rodrigo, John Rhodes, Richard Fowler, Randolph Judson, Peter Grant, and Cornelius Andreson were, all except Andreson, sentenced to death, but reprieved, and on their petition acknowledging the justness of the Court's proceedings pardoned and banished the Colony on pain of death. So that what was done was not because the English would not suffer any Hollanders to be nigh them, but to suppress the piratical practices of English, Dutch, or other nations; of them that were brought to trial there was but one Dutchman, four Englishmen, and one Flanderkin. Did not or do they judge it tolerable that any government, much less one deriving its authority from the King, suffer any to associate themselves and by ways of hostility molest quiet-minded subjects in their lawful occasions; had the matter been truly laid before the States-General they would have seen the justice of the proceedings. *Signed,* John Leverett, Governor. 1 *p.* [*Col. Papers, Vol. XXXVII., No.* 72.]

Oct. 19. Whitehall.

1072. Journal of Committee of Trade and Plantation. Packet received from Mr. Chaplain from Sir Jonathan Atkins containing letters to their Lordships of 4/14th July and 15th August last [*see ante, Nos.* 973, 1022]. 23 articles of his answers to inquiries read. Ordered that Secretary Coventry be desired to impart to their Lordships Governor Atkin's letter concerning the confiscation of the ship [Salisbury] by De Baas, and that inquiry be made what has become of the 350 barrels of powder and stores valued at 6,000*l.*, mentioned in the 10th Article. Commissioners of Customs to be sent to for the scheme of trade between England and Barbadoes. All ships coming from thence July and August, and none arriving 'till Christmas, there is no hearing from Barbadoes within that time. [*Col. Entry Bk., Vol. CIV., p.* 228.]

Oct. 20. Port Royal, Jamaica.

1073. Sir Henry Morgan to [Secretary Coventry]. Thanks for all his favours. Here hath happened a little transaction which may not possibly be written by my Lord to his Honour. On 27th September, being at his own house, Captain William Bragg, a man of very good fame and estate both here and in England, dined with Sir Henry, and after dinner, discoursing of Sir Thomas Modyford, was pleased to say that Sir Thomas was a traitor and that he could prove it, and desired to go home for England with said Sir Thomas. Asked him why he did not acquaint his Excellency, he said he was not so well acquainted with him as he was with Sir Henry, and therefore he would tell the latter, which immediately he did, Colonel Cary being witness. The words spoken are here enclosed, which Sir Henry wrote down immediately. My Lord received Sir Henry very well, sent to Captain Bragg not to go out of town, who he would examine before the Council the next day, when my Lord sent the Marshall to bring

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Bragg, but he was gone. Then Colonel Ballard was ordered to send a squadron of horse to fetch him, but Bragg came immediately. Sends his deposition, which is not so full as he told Sir Henry, but thinks it shows Sir Thomas has no love for his Majesty, and that truly he wants only power, and not will, to trust him. He now sues Bragg in an action for 10,000*l.*, and often says it is not the first time he has been indicted for treason. If not treason or misprision, it certainly is a great misdemeanour, and Sir Thomas ought not to be Chief Justice. Hopes Secretary Coventry will see by this how very zealous Sir Henry is for his Majesty's service. *Encloses,*

1073. I. Words spoken by Captain William Bragg to Sir Henry Morgan. That Captain Bragg declared Sir Thomas Modyford was guilty of treason, for he told Bragg he had got two counties to rebel against the King, because he had done things against Acts of Parliament, and Sir Thomas had left Andrew Arguile to solicit more. Essex and Suffolk were "solicited" by Sir Thomas, and Arguile was to get Norfolk, and they were sure of Cornwall. *Signed by* Sir Henry Morgan, Jamaica, 27th September 1676.

1073. II. Deposition of William Bragg, aged forty-five. That in March last, being at his house in St. Jago de la Vega, Sir Thomas Modyford told this deponent that in his letters Andrew Arguile said he had discoursed with several clothiers about the Guinea trade, and the loss they sustained in their trade since the Guinea Company, upon which they had made a mutiny in one or two counties at the assizes, and Sir Thomas added he did not question that his next letters would tell him several other counties had joined, and that "he had rather have the love of his subjects than of the King." 1st October 1676. *Two copies.*

1073. III. Sir Thomas Modyford's declaration against William Bragg. That William Bragg, of the parish of St. Katherine, gentleman, summoned to answer Sir Thomas Modyford, of said parish, Bart., of a plea, &c. That whereas said Sir Thomas is a good, pious, and faithful subject, and a man of good name, credit, and repute with the King, and of good fame and conversation with all his Majesty's liege people to whom he was known from the time of his nativity until this day, and so was esteemed, received, known, and reputed; and whereas said Sir Thomas is at present in great credit, favour, and repute with his Majesty, as by his Majesty's great trust reposed in him doth appear by being made his Majesty's Chief Justice of this Island, which he hath faithfully and truly discharged for near two years; said Bragg, being of the premises not ignorant, of mere malice, plotting, and contriving the name, fame, and allegiance of said Sir Thomas to render scandalous and infamous to his Majesty's good subjects, certain false, scandalous, and malicious words in

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the presence and hearing of several of his Majesty's liege people spoke, published, and proclaimed in these English words following [as contained in the deposition of William Bragg above mentioned], under colour and pretence of which false words Sir Thomas, in the name, fame, and allegiance, which before he usually had, is altogether impaired and lost, beside the hazard of his own life and fortune and ruin of his posterity, to the damage of him the said Sir Thomas of ten thousand pounds, and therefore he bringeth his suit. *Mem.*—Secretary Coventry delivered to Lords of Trade and Plantations [the above] three papers [I., II., III.] concerning Sir Thomas Modyford and William Bragg. *Together*, 5 *pp.* [*Col. Papers, Vol. XXXVII., Nos.* 73, 73, I., II., III.; *also Col. Entry Bk., Vol. XXIX., p.* 106.]

Oct. 21. **1074.** Secretary Coventry to [the Attorney-General]. His Majesty was pleased to order last night at the Committee of Foreign Affairs that he forthwith prepare a commission empowering Herbert Jeffreys to command in chief five companies of foot, consisting of one thousand soldiers, appointed for the present expedition to Virginia, with power to fill up the vacant places of lieutenants and ensigns, and a clause for using Martial Law during said expedition. [*Col. Entry Bk., Vol. XCV., p.* 117.]

Oct. 21. **1075.** Lords Proprietors of Carolina to the present Government and Assembly of the county of Albemarle. Have received their letters of 17th November 1675 and 28th March last by the hands of Thomas Miller, and assure them they will never part with the county of Albemarle "but will always maintain our province of Carolina entire as it is." Their reasons for this resolution to maintain and preserve them in English rights and liberties and the being so contiguous to Virginia is of great importance. Expected the well-planting of their Province would have long since had better progress as well as the rivers Pamplico and Newse, and that a way and intercourse by land would have been discovered between you and our plantation on Ashley River, and the neglect of these has been the cause that hitherto we have had no more regard for you as looking upon you as a people that neither understood your own nor regarded our interest, but some of us discoursing with [Thomas] Eastchurch, your Speaker, who is now come over, and Thomas Miller who brought their letters, they have fully satisfied us that the fault was not in you, but in those persons into whose hands we had committed the government, and that several of you that had made attempts for discovery of a way by land to the plantation on Ashley River, as also to plant more southward upon Pamplico and Newse, were with great violence and injustice deprived of any powers to proceed any further in such worthy undertakings, and some of you that were planted on the south side of Albemarle were commanded back, to your great prejudice and inconvenience. Are very well pleased with their proceedings with Lieutenant-Colonel Jenkins, and their settlement

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of the Council and Government until they heard further from their Lordships, and with the maintenance of their due respect and regard to fair justice, but must blame them and either disallow their sending Thomas Miller or any person to be tried in Virginia, which is a prejudice to the authority their Lordships derive from his Majesty's grant, but cannot reflect on them when their Lordships consider their apprehensions that Sir William Berkeley was sole proprietor. Utterly dislike trying or condemning any person without a jury. Have given instructions to their Governor and Committee that they earnestly press them to settle the south side of the River Albemarle as much as may be in towns, it being a frontier settlement, and should be made a security against incursions of Indians; three towns to be settled; would have the first and chief town Roanoke Island, and the place where the Council assemble, the second town should be placed on the west side of the little river's mouth, and the third town upon the neck of land between Salmon Creek and Marratock River, these three to be the only places for ships to lade and unlade, with such other necessary privileges as the Governor and Council have been ordered to advise the Assembly to grant. Finding Mr. Eastchurch, their Speaker, to be of a very good family, and a discreet and worthy man, and well instructed in their Lordship's desires concerning these particulars, have chosen and authorised him to be Governor of Albemarle, and have appointed deputies, and the Assembly are to choose the same number to make up the Great Council. Thomas Miller has delivered a paper of complaints of great oppressions and injuries which their Lordships refer to the Council and Assembly, and earnestly desire that justice be done, and certify their proceedings therein. [*Col. Entry Bk., Vol. XX., p.* 111–113.]

Oct. 21. **1076.** Warrant to Sir Thomas Chicheley, Master General of the Ordnance, to prepare fifteen hundred "Swyns Feathers," to be made use of in the present expedition to Virginia. [*Dom. Entry Bk., Car. II., Vol. XXIX., p.* 172.]

Oct. 24. **1077.** Estimate of the charge of the drums, halberts, and partizans, &c., further ordered for his Majesty's service, for the soldiers now going to Virginia by his Majesty's warrant, together with swynes feathers and other stores of war. Total, 4,655*l.* 15*s.* *Signed*:—Edward Sherburne, Jonas Moore, and G. Wharton. *Endorsed*, "Approved 25 October 1676." 1 *p.* [*Col. Papers, Vol. XXXVIII., No.* 1; *also Col. Entry Bk., Vol. LXXX., pp.* 73, 74, *with memorandum in margin*:—Third estimate of stores for Virginia.]

Oct. 24. Jamaica. **1078.** Governor Lord Vaughan to Lords of Trade and Plantations. Has endeavoured to do his duty in advising them of every thing that has occurred here. Sends now a very exact map of this town and harbour of Port Royal, by which the natural advantages of it may be plainly seen, and how capable it is of being made very considerable if the fortifications were completed. Five weeks since sent the Phœnix and his own Secretary Mr. Atkinson to Carthagena to discourse some matters with the

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Governor of that place relating to the Peace, the Governor used him with great respect, and entertained him five days in his own house. No news of the galleons this year, but the Nova Hispania fleet went from the Havannah about two months since. 1 *p. Endorsed,* "Rec. 22 Aug. 1677, per Capt. Keates, Commander of the London Merchant." [*Col. Papers, Vol. XXXVIII., No.* 2; *also Col. Entry Bk., Vol. XXIX., pp.* 134, 135.]

Oct. 24. Jamaica. **1079.** Governor Lord Vaughan to Sir Robert Southwell. Has directed to him a map of this town and harbour to be presented to their Lordships. Has taken great pains in it that it may be exact, and endeavoured to make this place fully understood. Hopes their Lordships will believe he has perfectly answered all their inquiries and obeyed their commands. 1 *p. Endorsed,* "Rec. 22 Aug. 1677." [*Col. Papers, Vol. XXXVIII., No.* 3.]

Oct. 25. Whitehall. **1080.** Order of the King in Council. That Sir Thomas Chicheley, Master of his Majesty's Ordnance, do cause the several stores to be forthwith provided, according to preceding estimate [*No.* 1077], and transported to Virginia for his Majesty's service. [*Col. Entry Bk., No. LXXX., pp.* 74, 75.]

Oct. 25. Whitehall. **1081.** Order of the King in Council. That in the Proclamation about the rebellion in Virginia, the reward to be given for taking of Nathaniel Bacon shall be three hundred pounds sterling, to be paid in money by the Lieutenant-Governor; and the other alterations thought fit to be made in said Proclamation read and approved. [*Col. Entry Bk., Vol. LXXX., p.* 133.]

Oct. 26. Whitehall. **1082.** Secretary Sir Joseph Williamson to the Duke of Monmouth. In obedience to his Grace's commands of this morning, has caused his books of entry to be exactly searched and cannot find that any despatch relating to the present matter of Virginia has passed his office. [*Dom. Entry Bk., Charles II., Vol. XLIII., p.* 124.]

Oct. 26. **1083.** Names of the officers of the five companies to be commissioned for the expedition to Virginia:—Captains Herbert Jeffreys, Edward Picks, John Mutlowe, Charles Middleton, and William Meoles, also names of the Lieutenants, Second Lieutenants, and Ensigns. 1 *p. Two copies.* [*Col Papers, Vol. XXXVIII., Nos.* 4, 5.]

Oct. 26. Whitehall. **1084.** Journal of the Lords of Trade and Plantations. Sir Jonathan Atkins' relation of the present state of Barbadoes [*see ante, No.* 973.]. Read 24th Article, and upon mention made in the 25th Article of the desperate state of the English Plantations and the difficulties of maintaining them, the Lords think fit to reprehend Sir Jonathan Atkins for using these expressions without giving any reasons for them. And where he proposes a liberty of trade as necessary for settling a new Plantation, the Lords take notice of this notion as dangerous in regard of the old ones and prejudicial to England itself, and resolve to give him a cheque for upholding

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this maxim of free trade. Read 26th Article where he insists upon the inconvenience of the Act of Trade and Navigation which does therefore confirm their Lordships in the resolution of returning their severest censures of these dangerous principles which he entertains contrary to the settled laws of the Kingdom and the apparent advantage of it [*see the Lords of Trade report to the King, No.* 1116]. 27th to 32nd Articles read. Upon the whole their Lordships agree to return their acknowledgments and approbation of this discourse and will take notice of such points as require a more particular answer. Sir Jonathan Atkins having made reflections upon a paper lying before the Committee, called the "Grievances of Barbadoes," presented by petition to his Majesty in Council, 24th November 1675 [*see ante, No.* 714], and referred to their Lordships, it is thought fit they be again taken into consideration. Read the Article concerning 4½ per cent, and an Act for regulating the gauge of cask in Barbadoes. Ordered that both the Farmers and Commissioners of Customs have copies of both these papers, and be directed to attend Tuesday (31st October). As to second Article concerning negroes, answer read of the Royal African Company of 6th July last, ordered that it be sent to the Agent of Barbadoes, and that he and some of the Royal African Company attend next Committee. On last Article complaining of being obliged to bring all their commodities to one market, ordered that copy of these grievances be sent to Commissioners of Customs and that they attend, when summoned, with their opinions. [*Col. Entry Bk., Vol. CIV., pp.* 235–236.]

Oct. 26. **1085.** Minutes of the Lords of Trade and Plantation. The paper called the "Grievances of Barbadoes" again read, together with an Act for regulating the gauge of cask in Barbadoes. *Annexed,*

1085. I. Act for regulating the gauge of sugar cask. Read and passed the Assembly, April 15, 1675. John Higinbotham, Clerk to the Assembly. Read and passed the Council and consented to by his Excellency. 1675, April 15. Edwin Stede, Deputy Secretary. [*Col. Entry Bk., Vol. VI., pp.* 97–99.]

Oct. 26. **1086.** Part of the general letter from the [Bermudas] Company to the Governor. Send copy of Petition of Thomas Ward and "order you to return us your opinions what is fit for us to do therein." In the meantime, let him continue on the four acres of land therein mentioned, and, for the future, let no petitions come without your opinions and thoughts concerning them. *Attested copy,* Richard Banner, Secretary, *Endorsed,* "This went to the Governor Sir John Heydon. Read, 21 Oct. 1679." *Extracts from this general letter, but not the above "part" of it, are printed in "Memorials of the Bermudas," by General Sir J. H. Lefroy, II.* 444–446. *In another general letter, dated 1st October* 1677, *the Company remind the Governor that they sent a copy of Ward's petition for his opinion.* [*Col. Papers, Vol. XXXVIII., No.* 6.]

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1087. "By the King. A Proclamation for the suppressing a rebellion lately raised within the Plantation of Virginia." Whereas Nathaniel Bacon, the younger, of the Plantation of Virginia, and others his adherents and complices, being persons of mean and desperate fortunes, have lately in a traitorous and rebellious manner levied war within the said Plantation against the King, and more particularly being assembled in warlike manner to the number of about 500 persons, did, in June last, besiege the Governor and Assembly, and by menaces and threats of present death compel said Governor and Assembly to pass divers pretended Acts. To the end that said Nathaniel Bacon and his complices may suffer such punishment as they justly deserve, his Majesty doth declare that said Nathaniel Bacon and all his Majesty's subjects as have taken arms under and assisted or shall hereafter take arms or assist said Nathaniel Bacon in carrying on the war shall be guilty of high treason. And his Majesty strictly commands his loving subjects to use their utmost endeavours to secure the persons of the said Nathaniel Bacon and his complices in order to bring them to their legal trial. And his Majesty doth declare that such person or persons as shall apprehend said Nathaniel Bacon shall have a reward from his Majesty's royal bounty of 300*l.* sterling, to be paid in money by the Lieutenant-Governor. And because many of Bacon's adherents may have been seduced by him into this rebellion by false pretences, his Majesty doth declare that if within twenty days of the publishing this Proclamation any such adherent submits himself to his Majesty's government, and takes the oath of obedience and gives security for his future good behaviour, such person is hereby pardoned; but those who shall not accept this offer of pardon, but persist in said rebellion, their servants or slaves as shall take arms under his Majesty's Governor or Commander-in-Chief shall have their liberty and be for ever free from the service of said offenders. And that his Majesty's loving subjects may understand how careful his Majesty is to remove all just grievances, he hath not only given instructions to reduce the salaries of the Members of the Assembly to such moderate rates as may render them less burthensome to the country, but hath also sent Herbert Jeffreys, Sir John Berry, and Francis Moryson, his Majesty's Commissioners, to inquire into and report to his Majesty all such other grievances as his Majesty's subjects within said Plantation do at present lie under, to the end such redress and relief may be made as shall be agreeable to his Majesty's royal wisdom and compassion. And his Majesty hereby declares that the pretended Acts and Laws made in the Assembly held at James city in June last shall be null and void. *Bacon died of a bloody flux, 26th October, the day before the date of this Proclamation. Printed. Two copies, also MS. copy,* 6 *pp.* [*Col. Papers, Vol. XXXVIII., Nos.* 7–9, *also Col. Entry Bks., Vol. LXXX., pp.* 129–132, *and Vol. XCV., pp.* 140–144.]

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1088. Names of the officers designed for Virginia out of the regiments of foot. Four of the five Captains to be commissioned in a paper No. 1083 are identical with this list, but Captain

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Robert Walters is herein substituted for Captain Edward Picks. 1 *p.* [*Col. Papers, Vol. XXXVIII., No.* 10.]

Oct. 27. Ordnance Office. **1089.** A particular account of Ordnance, Mortar pieces with equipage and all other stores of war now ordered for Virginia. *Signed by* Edward Sherburne. *Endorsed,* "Rec. 30th October 1676." 6 *pp.* [*Col. Papers, Vol. XXXVIII., No.* 11.]

October ? **1090.** The names of the Engineer James Archer, junior, at 10*s.* per diem, the gunners, &c., now ordered to go along with the train of Artillery from the Office of the Ordnance for Virginia. 1 *p.* [*Col. Papers, Vol. XXXVIII., No.* 12.]

October ? **1091.** Memorandum of the names of the officers and soldiers going on board the men-of-war to Virginia. In the Henry and Anne, Captain Jeffreys, Lieutenant Rouse, and Ensign Grymes with 195 men. In the Constant a Sergeant and 19 men. In the Barnaby, Captain Edward Picks, Lieutenant Hetley and Ensign William Mathews, and 116 men. In the Recovery, Lieutenant Webb, the rest of Captain Picks' officers and men to make up 100. In the William and Robert, Captain Charles Middleton, Lieutenants Francis Hobbin and Thorne, and 167 men. In the Constant, Ensign John Jeffreys and 48 men. In the Francis, Captain John Mutlowe, Lieutenant Thomas Troutbeck, Ensign Seymour and 97 men. In the Merchant's Consent, Lieutenant John Tonge and 79 men, and 39 men in the Constant. In the Golden Lyon, Captain William Meoles, Lieutenant Thomas Sanders and 148 men. In the Constant, Lieutenant Walter Morgan and the rest of the officers to make up 69 men. Total, 1,094 officers and men on board eight ships. *Two papers.* [*Col. Papers, Vol. XXXVIII., Nos.* 13, 14.]

Oct. 28. **1092.** Names of the hired ships and their Commanders with the number of soldiers to be carried on each, for transport to Virginia. Total, eleven ships with 1,105 soldiers and 500 "new raised men on board." *See the King's letter to Colonel Jeffreys in reference to these new raised men or volunteers, ante No.* 1060. The three ships not mentioned in previous paper are the Dartmouth and the Rose at Sheerness and the Deptford at Portsmouth. 1 *p.* [*Col. Papers, Vol. XXXVIII., No.* 15.]

Oct. 30. Jamaica. **1093.** Governor Lord Vaughan to Lords of Trade and Plantations. Received their Lordships letter of 28th July, yesterday concerning the condemnation of Deane the pirate [*see ante, No.* 1001]. Long since gave an account of the trial and sent an exemplification to Secretary Coventry. The reasons that induced him to proceed in that manner. It has had a very good effect, and been the means of reclaiming divers of the privateers "who I believe had not else come in." Upon his great repentance, confession of his faults and often petitioning, did about a month since grant him a pardon under the great seal of this island, "so if I was not right in the law no great harm is done, it being very prudential and seasonable at that time to do what I did, however, I humbly beg your Lordships

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particular directions for the future." 2 *pp. Endorsed,* "Rec. 22nd August 1677, by Captain Keate's, Commander of the London Merchant." [*Col. Papers, Vol. XXXVIII., No.* 16.]

Oct. 30. Jamaica. **1094.** Governor Lord Vaughan to Sir Robert Southwell. Has just received his of 31st July [*see ante, No.* 1002]. Perceives by the objections made to the laws they are not likely to be returned confirmed. His only desire is that if a power be sent him over to re-enact he may likewise receive particular directions as to what amendments their Lordships would have passed. Was commanded by his instructions on his arrival to re-enact and make a good body of laws, and he passed no law or gave his assent to any except that for naturalisation but what was already in force and had been twice re-enacted by Sir Thomas Lynch. Would not consent to the Act for free importation of negroes passed by his predecessor. Has answered their Lordships' letter, and cannot but take notice that in the trial of the pirate he is blamed for asserting the Admiral's jurisdiction, and in the case of the interloper he is blamed for not defending it. Has fully vindicated himself in both. It is the business of receiving complaints against a Governor which makes him thus reflected on, but when their Lordships know how much both themselves and himself have been abused by the officious untruths of some busy people, hopes they will do themselves and him that right and justice for the future never to condemn him before he is heard. Understands that one Martyn has likewise made his solicitations to their Lordships, and that some have been so unfaithful to the Governor as to sign his papers. Has long since advised Secretary Coventry of the truth of the whole case which he now recapitulates. Prays him to acquaint their Lordships with what he writes and "that in all such cases they would please to suspend their own beliefs till they receive my information." 2 *pp. Endorsed,* "Rec. 22nd August 1677." [*Col. Papers, Vol. XXXVIII., No.* 17.]

Oct. 31. Whitehall. **1095.** Minute of the Lords of Trade and Plantations. Ordered that when any letters are sent to the Plantations, notice be taken by what conveyance they are dispatched. [*Col. Entry Bk., Vol. CIV., p.* 237.]

Oct. 31. Whitehall. **1096.** Journal of the Lords of Trade and Plantations. Sir Charles Wheler and Colonel Strode, farmers of the 4½ per cent., attend and complain of the great abuses practised in the making of cask and filling the sugar. The Farmers affirm this duty was given his Majesty in lieu of the 40*s.* per head due to the King by the Earl of Carlisle's patent, that they have raised their cask in Barbadoes from 1,200 to 1,600, and have increased some of them to four staves more than ordinary. Arguments of Sir Peter Colleton, Mr. Bandas, and Colonel Thornborough, and of the Farmers on the other side. Those of Barbadoes offer to agree upon a medium between two extremes of sugars to be rammed into a cask and negligently thrown in. Resolved to refer the regulations to the Lord Treasurer who is about farming this duty for a new term. [*Col. Entry Bk., Vol. CIV., pp.* 237, 238.]

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Oct. 31.—Nov. 1. **1097.** Journal of the Assembly of Barbadoes. After debate, was passed with amendments, an Act to prevent the inconveniences upon the inhabitants of this Island by forestallers, engrossers, and regrators; as also an Act to prevent the breaking up and taking away of any rocks or stones in the sea before this Island.

Nov. 1. Edwyn Stede appeared to answer complaints against him by Captain James Vaughan and Robert Rich; after debate the House think fit to waive the three first articles against Stede, and that the last be considered at their next meeting. The Act for securing possession of negroes and slaves returned by his Excellency and Council with amendments agreed to and passed. Also an Act to explain a clause in the Act for establishing the Court of Common Pleas. Agreed at their next sittings to consider the presenting a sum of sugars to his Excellency for his support in the Government of this Island. [*Col. Entry Bk., Vol. XIII., pp.* 235–237.]

1098. "Proposals, most humbly offered to his most sacred Majesty by Thomas Ludwell and Robert Smith, for the reducing the Rebels in Virginia to their obedience." It being evidently true that that Colony has always been and in the worst of times eminently loyal to the Crown of England, they cannot believe that the present disorders have their beginning from disaffection to his Majesty or his government either here or there, or that the infection hath seized upon any of the better or more industrious sort of people, but from the poverty and uneasiness of some of the meanest, whose discontents render them easy to be mislead, and, as they believe this to be the sole cause of these troubles, so are confident that, upon the first appearance of his Majesty's resentment of their disobedience and commands on all his subjects to return to their duty, there will be a speedy separation of the sound parts from the rabble, and many who now follow Bacon, out of opinion that they do his Majesty and the country service against the Indians, will quit the party when they understand it to be rebellion, and the hands of those who abhor the present disaffection will be strengthened by his Majesty's resolution of vindicating his authority and punishing the principal offenders against it. To effect which they suggest two ways: either to send a force superior to any that can be brought against it, or a smaller number of men to assist those ready to obey his Majesty's commands. Also, that it will be for his Majesty's service that his Majesty's authority be justified in the person of Sir W. Berkeley before his removal from the government, for the reasons given. That a frigate proceed directly to James Town able to land 200 men. Suggestions for taking or killing Bacon, and the prevention of further mischiefs by him or his assistants. And that the Lords Proprietors of Maryland be commanded not to receive any inhabitants of Virginia. Offer for consideration, as the most effectual means to reduce Virginia to a lasting obedience, that these grants which have and still do so much disturb their minds may be taken in, and their just privileges and properties settled for the future on a solid foundation, the fear of forfeiting which would keep them in perpetual awe. 2 *pp. Signed.* [*Col. Papers, Vol. XXXVIII., No.* 18.]

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October. **1099.** Colonel Francis Moryson to Sir William Jones, Attorney-General. It is so far from his opinion that it is anyways necessary for a Commission to issue from hence to exercise martial law in Virginia, that he conceives it the most destructive means that can be used to attain the ends intended by it. Conceives it must be either for carrying on the war against the Indians or for quelling the mutiny amongst the English. If for the first, argues that, from the nature of the enemy and manner of their fight, the war must be managed by the inhabitants there and not by forces sent from hence, and that most of the war on our side must be defensive; the great expense of sending men over, and no towns to quarter them in, five hundred men must be lodged in three hundred houses; the dangers of sickness; the King has no exchequer there, and instead of a help they will be an insupportable burthen to the people. The country wants no men to fight if the enemy will appear, and if not, who can find them in their coverts? The Indian way of fighting is only by surprise, so that all our offensive war is but hunting them like wolves and not fighting with them as men. We may feel them once a week and yet not see them once a year; they will burn a house or two to-night and be forty miles off to-morrow. How the Governor successfully managed a former war, by sending small parties out in July and August to burn the Indians' corn that bordered on our frontiers, and to secure the houses from sudden assault he strengthened the weak families by joining two or three families together, and pallisadoed their houses, which forced the enemy to sue for peace. Replies to the objection that may be made that there is more need now, since there is a mutiny of the English, and the people refused to march with the Governor against the Indians. The defection must be greater than is owned here, or else how should it come to pass that amongst so many thousand reputed honest men there should not be found a thousand to fight five hundred inconsiderable fellows? by which it is evident the major part of the country is distempered, and it is to be feared, if martial law be sent, it would make many more declare themselves. Arguments: This defection at this distance has an ugly aspect, yet the face of things would soon be changed if his Majesty would send two or more discreet Commissioners into the country to inquire into their grievances and faithfully report them, "for grievances undoubtedly they must have, or else 'tis impossible that a country of so signal a loyalty should, in so short a time, show more of disloyalty than any part of his Majesty's dominions." Is confident, if this course be taken, and the King promise redress and pardon to all who lay down arms, the heads of the rebels excepted, his Majesty would quickly find they will return to their old obedience, and leave those miserable wretches to the King's mercy. But if the people remain stubborn, no better way "can be thought on" than was found practical in the time of the late usurpation, to send two small frigates to prohibit trade. As to what concerns the Governor, he must have contracted odiums in so long a time of government, yet is confident the grievances justly laid to his charge will go in a little room, therefore shall desire that the Commissioners may be

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ordered, if any complaints be brought against him, civilly to desire the Governor's own answer to present to his Majesty, "that one great seal may not arraign another." Apologises for the length of this letter, but thinks the weightiness of the matter may excuse it. Fears there will be wrong measures taken; it is the last paper he shall write in this agency, and concludes it with a protestation that he has never offered anything to any Minister of State but what he thought necessary for his Majesty's service. [*Col. Entry Bk., Vol. LXXXI., pp.* 6–16.]

Oct.—Nov. **1100.** Notes by Secretary Sir Joseph Williamson concerning Barbadoes, being brief abstracts of the contents of Governor Atkins' letters and his answers to inquiries [*see ante, No.* 973]. Also in reference to the price and supply of negroes and the 4½ per cent. The Act for gauging sugar casks; the King's customs on sugars from Barbadoes and tobacco from Virginia, and the reports of Sir George Downing and Sir Peter Colleton; also trade between England and Holland, and how to advance the Navy of England. 10 *pp.* [*Col. Papers, Vol. XXXVIII., No.* 19.]

Oct.—Dec. **1101.** Depositions of Mathew Sheares, Master of the Pellican, taken before Lord Vaughan 17th October 1676, concerning the treatment he met with while endeavouring to get water on the north side of Cuba from a Spanish vessel, and his escape. Of John Pursley and Mathew Lowe, taken 10th November 1676, that they were kept prisoners at the Havannah near 15 months like slaves, but made their escape; 42 English prisoners there, eighteen of whose names deponents remember and are noted. Of Mathew Lowe of Port Royal, Mariner, taken 4th December 1676; made his escape from Havannah where he had been prisoner near twenty months, where two vessels belonging to Jamaica, John Ewers and John White, Masters, were made prize and the men made slaves, the number of English prisoners there between forty and fifty; heard the Governor say there was no peace in the Indies, and it was lawful for the Spaniards to take all they met with. Of David de Rocque, taken 28th December 1676; was seaman to a French barque fishing off Cuba and taken by a Spanish vessel who had also an English vessel and two more vessels at her stern, an English sloop and Bermudean barque. Of William Green and Henry Smith, taken 28th December 1676, to the same effect as preceding deposition. And of Francisco Antonio in Spanish. *Together, six papers.* [*Col. Papers, Vol. XXXVIII., Nos.* 20–25.]

Nov. 1. Whitehall. **1102.** Philip Lloyd to the Sub-Governor and Deputy-Governor of the Royal African Company. To send by bearer the paper they showed the writer yesterday containing account of the number of negroes supplied to Barbadoes. *Annexed,*

1102. I. Account of negroes laden aboard five ships by the agents of the Royal African Company at Guinea, and sold at Barbadoes between March and June 1676. Total number shipped, 1,588; sold, 1,372; besides 224, which could not be sold there, sent to Nevis, and 200 for Jamaica.

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N.B.—The Lords of Trade reported on the foregoing papers, *see* Order in Council, Nov. 10, *No.* 1125. 1½ *pp.* [*Col. Papers, Vol. XXXVIII., No.* 26; *also Col. Entry Bks., Vol. I., pp.* 49–51, *and Vol. VI., pp.* 107, 108.]

[Nov. ?] **1103.** Caveat that neither Perient Trott nor any other have any letter from his Majesty to the Governor of the Somers Islands to permit any ship to lade there without the knowledge of the Company for the Plantation of said Islands. Notice to be given to Richard Chandler, Aldermanbury, London, near the Conduit. ¼ *p.* [*Dom. Entry Bk., Chas. II., Vol. XLV., p.* 28.]

Nov. 1. **1104.** The present state of the soldiers designed for Virginia. The ships' names, the number of men to be put on board, the number of men on board, and the places where they ride. "The magazine of provision for the soldiers, we doubt not but will be ready and shipped by Saturday night next." [Nov. 4.] 1 *p.* [*Col. Papers, Vol. XXXVIII., No.* 27.]

Nov. 2. Office of the Ordnance. **1105.** Estimate for hods and bags or sacks for carrying earth for the fortifications, to be forthwith provided out of his Majesty's stores and sent to Virginia, together with a gunsmith, engineer, and gunners with tools and flock beds furnished. *Signed.* Total, 228*l.* 7*s.* 2*d.* 1 *p.* [*Col. Papers, Vol. XXXVIII., No.* 28.]

Nov. 2–7. Whitehall. **1106.** Journal of the Lords of Trade and Plantations. The Commissioners of Customs attend to give their opinions on the grievances from Barbadoes. They conceive that unless there were great abuses practised in making and filling the casks the Farmers would not trouble to weigh them which does therefore seem unavoidable. Their Lordships think fit to refer this to my Lord Treasurer. Concerning the Acts of Trade and Navigation. Arguments of Sir George Downing on the necessity of maintaining the present method of trade for the increase of shipping and welfare of "Old England" that Barbadoes has the least reason to complain, the customs of sugars being inconsiderable in comparison with tobacco; last year the customs on Barbadoes sugars amounted but to 25,000*l.* (?) of which 5,000*l.* (?) were again exported; customs on Virginia tobacco were 135,000*l.* of which but 35,000*l.* were again exported. Sir Peter Colleton thinks it is his Majesty's interest to suspend some part of those laws which are hurtful to English trade, and compares the English customs to those paid by the Portuguese. Further arguments on both sides. The Lords do not come to any resolution the Lord Privy Seal [Lord Anglesey] being absent.

Nov. 7. The Lords agree upon a report to his Majesty upon the above paper of grievances and Sir Jonathan Atkins' letter [of 4th July last, *see ante, No.* 973]. See the report of this date, *No.* 1116. [*Col. Entry Bk., Vol. CIV., pp.* 240–242.]

Nov. 3. Whitehall. **1107.** Order of the King in Council. That the embargo laid by order of 30th September last on all ships bound for Virginia and

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Maryland be continued, and the bonds of the several masters not delivered up, notwithstanding the masters' pretensions of now entering their ships in the Custom House for Barbadoes or any other of his Majesty's Plantations. [*Col. Entry Bk., Vol. LXXX., pp.* 134–135.]

Nov. 3. Whitehall. **1108.** The King to the Governor and Council of the Massachusetts Colony in New England. We doubt not but you have heard of the disorders in Virginia raised by Nathaniel Bacon, the younger, the leader of a rebellion there. Having confidence in your loyalty and that you abhor such treasonable actions, and to prevent the contagion of so bad an example in other colonies, his Majesty hereby requires them if said Bacon or any of his accomplices shall for their safety or otherwise retreat to the Colony of New England to cause him and them to be forthwith seized and secured and give immediate notice thereof to the Governor of Virginia; and, further, to issue forth proclamation "straightly" forbidding any inhabitant of said Colony of New England to join with said rebels or afford them any assistance of any kind whatsoever. *Mem.*—Letters of the same tenor and date were writ to the Colony of New Plymouth, Connecticut, and Rhode Island. [*Col. Entry Bks., Vol. LXXX., pp.* 115, 116, *and Vol. XCV., pp.* 159, 160.]

Nov. 5. Whitehall. **1109.** The King to Sir William Berkeley, Governor of "Virginia in the West Indies." Letter of recall. That in regard of his age and infirmities, which make him less able to undergo the great burthen and fatigue of business in Virginia, especially at this time when evil-disposed persons have much increased the difficulties and troubles of his employment there, the King is pleased to condescend to his request for permission to retire from thence, and hereby orders him to repair to England to give an account of the present commotions in the Colony. Herbert Jeffreys is appointed Lieutenant-Governor. [*Col. Entry Bk., Vol. LXXX., p.* 127, *and Vol. XCV., pp.* 174, 175.]

Nov. 5. Whitehall. **1110.** The King to Sir Henry Chicheley. The troubles and disorders of our Colony of Virginia growing every day to a greater height by the treasonable and rebellious actions of Nathaniel Bacon the younger and his accomplices there, the King has sent forces to join with our good and loyal subjects there for the suppression of that rebellion and resettling that Colony in its former peace and quietness, and has appointed Herbert Jeffreys Commander-in-Chief and Lieutenant-Governor; his Majesty relies upon Sir Henry Chicheley's ready disposition to assist said Jeffreys with his best counsel and advice. [*Col. Entry Bk., Vol. LXXX., p.* 128, *and Vol. XCV., pp.* 176, 177.]

Nov. 5. Whitehall. **1111.** Establishment for the Engineer, Commissary of Stores, Master Gunner, the four Gunners and a Gunsmith, as settled by his Majesty, on the report of Sir Thomas Chicheley, Master General of the Ordnance, to go in the present expedition for Virginia, in addition to his Majesty's former establishments for that expedition.

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James Archer, junior, engineer, Thomas Stavely, commissary of stores and master gunner. Total expense per annum, 584*l.* [*Col. Papers, Vol. XXXVIII., No.* 29.]

Nov. 6. Whitehall. **1112.** Warrant to Ralph Montague, Master of the King's Great Wardrobe. To prepare two colours for each of the five companies of the King's foot guards, now sending upon an expedition to Virginia, viz., for Captain Herbert Jeffreys' company, two colours, with a crowned lion passant upon the crown; for Captain Edward Picks' company two colours, with the Royal oak crowned; for Captain John Mutlowe's company two colours, the ground blue with a red cross in a white field; for Captain Charles Middleton's company two colours, white waved with lemon, equally mixed with the red cross quite through with J. D. Y. [James Duke of York] in cipher, in gold; and for Captain William Meole's company two colours, the ground green with a red cross in a white field. [*Dom. Entry Bk., Chas. II., Vol. XXIX., pp.* 185, 186.]

Nov. 6. Whitehall. **1113.** Warrant to the Master General of the Ordnance. To deliver out of his Majesty's stores fire hundred arms more for the use of forces now sending upon an expedition to Virginia, also to prepare estimate for fifteen drums, halberds, powder, shot, lanterns, and candles, in a fit proportion to the one thousand men now going upon this expedition; and, lastly, for five tents of double canvas for the five captains commanding said forces. [*Dom. Entry Bk., Chas. II., Vol. XXIX., p.* 187.]

Nov. 6. **1114.** Memorandum concerning the provisions and necessaries for sick men in Virginia, calculated as is usual at 12*d.* per head for six months, according to which, "by the same measure approved of by his Majesty last night," the provision to be made for the 1,130 men going will amount to 47*l.*, and to be allowed for kettles and skillets, 3*l.*; and that the Lord Treasurer be moved concerning 243*l.* 6*s.* 8*d.*, which is four months' pay, upon the additional establishments for a mate to the Commissary of Provisions and Deputy Paymaster, the adjutant, and officers of the train; and likewise for setting apart money for the surgeon's chest, about 53*l.* That my Lord Treasurer take order for payment of same upon account to John Knight, Surgeon-General. 1 *p.* [*Col. Papers, Vol. XXXVIII., No.* 30.]

Nov. 7. Whitehall. **1115.** Journal of the Lords of Trade and Plantations. Ordered that the letter sent by his Majesty to New England on 22nd December 1675 (*see ante, No.* 755) concerning the pretentions of Mason and Gorges and the answer of the Governor of Boston be read. [*Col. Entry Bk., Vol. CIV., p.* 242.]

Nov. 7. Council Chamber, [Whitehall]. **1116.** Report of the Lords of Trade and Plantations to the King. On petition of the Council and Assembly of Barbadoes in obedience to his Majesty's Order in Council of 24th November 1675 (*see ante, No.* 714), together with a paper of grievances under three headings. 1. Concerning the Farmers weighing their casks of

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sugars. 2. The supply of negroes by the Royal African Company. 3. The Acts of Trade and Navigation. The main matter is the third head for a dispensation of the Acts of Trade and Navigation. Need not lay before his Majesty the evil consequence that any subjects should presume to petition against the laws they live under, and call them grievances, the whole frame of the trade and navigation would be destroyed by such a dispensation, and could only be done by his Majesty in Parliament, the whole nation being concerned in it. Conceives his Majesty's subjects of the Plantations would hardly presume to make any address of this kind to his Majesty were they not connived at by his Majesty's Governors, "and this we find to be the ground of this particular case," for in Governor Atkins' answers to some inquiries we find him, if not the prompter, yet the consenter with the inhabitants, and that he labours with more arguments than they do themselves, when it was the duty of the Goveanor on the contrary to have suppressed any such address. Are therefore of opinion that it is very necessary for his Majesty's service that Governor Atkins should by letter from his Majesty be severely reprehended for his error and mistake by his concurrence in encouraging the people, and that for the future he should suppress any such notions which tend to the ruin of trade. As to the first head, they say there never was any duty more cheerfully paid than the 4½ per cent., yet Governor Atkins desires they may be eased of it for a time for their encouragement. Also Governor Atkins continues that complaint against the want of supply of negroes, though Colonel Thornborough confesses they have been very well supplied for twelve months. Both these points may very fitly be taken notice of to Governor Atkins, who should endeavour to hinder and not promote complaints [*see the King's letter to Gov. Atkins, No.* 1179]. Setting these particulars aside which deserve his Majesty's reprehension, to all the heads of inquiry he has given a very good answer and deserves to be commended. *Signed by* Anglesey *only.* 3 *pp.* [*Col. Papers, Vol. XXXVIII., No.* 31.]

Nov. 7. Office of the Ordnance.

1117. An estimate of the charge of the powder, arms, bandaliers, match, small shots, partizans, drums, candles, and lanthorns, to be further provided and issued out of his Majesty's stores and sent to Virginia. Total, 947*l.* 1*s.* 8*d.* *Signed.* 1 *p.* [*Col. Papers, Vol. XXXVIII., No.* 32 ; *also Col. Entry Bk., No. LXXX., p.* 75, *headed,* "4th Estimate of Stores sent to Virginia."]

Nov. 7. Whitehall.

1118. Warrant to the Attorney-General. To prepare a Bill for his Majesty's signature, containing a commission to Herbert Jeffreys to be Lieutenant-Governor of Virginia, as follows:— Whereas Sir William Berkeley has represented that in respect of his great age and bodily weakness he is at present unable to execute the duties of his office, which are become the more burthensome by reason of the present rebellion, and has earnestly besought leave to retire, and that some other person be appointed Governor. It is the King's pleasure that said Sir William Berkeley shall with all possible speed return to England to give a perfect account of

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the condition of said Colony, and in the absence of said Governor his Majesty has thought fit to appoint Herbert Jeffreys Lieutenant-Governor of Virginia, with power during Sir William Berkeley's absence to execute the authorities and jurisdictions belonging to the office of Governor and Captain-General of our Forces in said Colony. And in case it shall happen that said Sir William Berkeley shall depart this life, to execute all the powers of Governor until his Majesty declare his pleasure. With power to said Herbert Jeffreys to execute martial law during this present war, and to pardon treasons, felonies, and other misdemeanors relating to the present war and rebellion, said Berkeley not to be accountable or responsible for any failure or misdemeanor of said Jeffreys belonging to the office of chief Governor. And after the death of said Herbert Jeffreys, Captain Edward Picks, and on his death Captain John Mutlowe, Captain Charles Middleton, and Captain William Meole, severally and successively one after the death of the other, to execute the powers hereby granted to said Jeffreys. The Council of said Colony and all his Majesty's loving subjects to be assisting to said Jeffreys and the other persons aforesaid successively. [*Col. Entry Bks., Vol. LXXX., pp.* 86-90, *and Vol. XCV., pp.* 121–128.]

Nov. 7. Whitehall. **1119.** Warrant to the King's Lieutenants of Westmoreland and Cumberland. Not to dispose of the place of Muster-Master of the trained bands of those counties during the absence of Captain John Tonge, lieutenant in his Majesty's regiment of foot guards called the Coldstreams, who his Majesty hath now commanded upon an expedition to Virginia, but to permit him to execute the same by a sufficient deputy till his return. [*Dom. Entry Bk., Chas. II. Vol. XLIV., p.* 38.]

[Nov. 7.] **1120.** Petition of John Downing, gentleman, inhabitant of Newfoundland, to the King. That petitioner's father was sent to Newfoundland armed with the King's father's commission and instructions from the then Lords Proprietors to plant people there and reduce the Indians to civility and religion, and to that purpose several laws and orders were then made and sent over by the King's father to be observed. That after some years when the forts were secured, and the fisheries brought into some regularity and security, petitioner's father died, and since his death petitioner and others of his Majesty's subjects have settled there, and lived for many years under said laws and orders, and have built houses and "cleansed the wilderness" to keep cattle, and have erected stages and rooms for their fisheries, and have hitherto lived with their wives and children in peace and comfort. But now some of his Majesty's subjects, upon pretence of a patent from his Majesty, have destroyed petitioner's houses and stages and driven away the inhabitants. Pray his Majesty to command that no such outrages be committed for the future, so that petitioner may find security for himself, his wife and family. *With reference* to Lords of Trade and Plantations to take such order herein as shall seem meet for petitioner's relief. 7th November 1676. *Annexed,*

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1120. I. King Charles I.'s commission to John Downing and William Rigby going to Newfoundland with instructions from the Lords Proprietors. Westminster, 24th June 1640.

1120. II. Instructions from the Lords Proprietors, Patentees of Newfoundland to John Downing of London, merchant, concerning the affairs of their Lordship there, and others interested and adventurers therein. Whitehall, 20th June 1640.

1120. III. Laws, rules, and ordinances whereby the affairs and fishery of Newfoundland are to be governed until the Parliament shall take further order. Whitehall, 16th June 1652. *Endorsed,* "Recd. 9 Nov. 1676; Read 24 Nov. 1676." *Together,* 7 *pp.* [*Col. Papers, Vol. XXXVIII., Nos.,* 33 33 I., II., III.]

Nov. 8. Office of the Ordnance.

1121. A memorial of all the estimates delivered from the Office of Ordnance for his Majesty's service upon this present expedition to Virginia, from 14th June to 8th November 1676. Total, 11,178*l.* 3*s.* 6*d.* *Signed.* *Mem.*—That there is already a tally struck upon the Customs for the first of the estimates, viz., 2,497*l.* 6*s.* 8*d.*, so that there is yet wanting order for the remaining sum of 8,680*l.* 16*s.* 10*d.* [*Col. Papers, Vol. XXXVIII., No.* 34; *also Col. Entry Bk., Vol. LXXX., p.* 77.]

Nov. 9. Derby House.

1122. S. Pepys to Matthew Lock. Has sent a memorial to Secretary Coventry's office, in order to obtain warrant for provision of brandy for the men on their passage. What has been done as to accommodation of the officers in the great cabins of the merchantmen taken up by his Majesty for his service to Virginia. *Annexed,*

1122. I. Account of the distribution on shipboard of the officers and men designed for Virginia. *Together,* 3 *pp.* [*Col. Papers, Vol. XXXVIII., Nos.* 35, 35 I.]

Nov. 9.

1123. Thomas Ludwell to Secretary Williamson? Being within a little time to depart from England towards Virginia, and doubting lest his maliciously unjust enemies may have been as industrious to wound him by their whippers on the Exchange as he fears they have endeavoured to do at Court, could not with any satisfaction leave England and not endeavour to clear himself of as many faults as he hears are laid to his charge, especially to himself, from whom he has received so many favours. Affirms in the presence of God that during the whole time he has executed the office of Secretary of State of Virginia he has never exacted or taken from any man one farthing more than his due, hundreds of times less, and many times nothing from those who wanted it. When some of his clerks have exacted exorbitant fees he has written to the County Courts desiring the Justices to publish to the people to bring their complaints to the Courts and he would displace the clerks, and the people should have satisfaction; two clerks were displaced, and a third clerk cleared himself before the Governor and Council.

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Answers to the charge of taking more than his due for passes; the fees are 5*s.* to the Governor, 2*s.* 6*d.* to the Secretary, and 2*s.* 6*d.* to the Clerk of the County where the party lived. "Claybourne paying 150*l.* sterling for granting a pass without security or certificate." Sir W. Berkeley resolved, when he re-entered the government, to quit at once that power and danger by resigning it to the Assembly, who by a law conferred it on Ludwell, upon which he justly claimed the Governor's 5*s.*, and his own 2*s.* 6*d.*, and the Clerk's (of the County) 2*s.* 6*d.*, making the whole 10*s.* Justifies his conduct in the division he made, and the proposition he had of the 200*l.* per annum allowed by the Assembly to the Council for their attendance to public business, and the complaint of one of the Council, after he came to England "if I were as troublesome as he is malicious I would put him to prove his assertion, which I know he cannot." As to his having had a hand in the oppression of the people, and in the other errors committed in the Government, affirms there is not a man in the whole country that has strove more for the good of those people than he has, or has laboured more to keep things in a right channel, and is sure none can accuse him for having ever received a penny or pound of tobacco from the people by bribe or public gift. Thought he had done enough in his first and second papers given in to the Cabinet Council to propose sending Commissioners to inquire into grievances, and when he heard of the paper given in by Colonel Moryson for the better settlement of those unhappy differences, applied himself to him, though uncommanded, and gave him the hints about rectifying the errors in the Assembly, which will be found the best means to cure our disorders. Nor can he be justly accused more than any one of the whole Assembly for any taxes laid upon the people, since a Secretary hath no more than a single vote. Has thus troubled him with a long narration of his sad case, which is the more deplorable as he offered to lend the country 500*l.* free of interest for three years, and when that would not do undertook to serve them at his own charge. Had not the discontents of the people against those patents seemed to threaten great disorders would never have engaged himself so much to his loss in seeking a remedy for them. Desires he will do Ludwell right to his Majesty's Ministers with whom he has interest, observes some of them of late have not looked favourably on him. Begs he will do this before Ludwell waits on them to receive their commands and take his leave. 3 *pp.* [*Col. Papers, Vol. XXXVIII., No.* 36.]

Nov. 10. **1124.** The Privy Council to Sir Thomas Chicheley, Master of his Majesty's Ordnance. Requiring him forthwith to give directions for providing several stores (*as per estimate, see ante, No.* 1117), and transporting them to Virginia, to be delivered to the Governor there for the use of said Colony. [*Col. Entry Bk., Vol. LXXX., p.* 76.]

Nov. 10. Whitehall. **1125.** Order of the King in Council. On report of Lords of Trade and Plantations [*see ante, No.* 1116], in obedience to his Majesty's Order in Council of 24th November 1675, upon petition of Council

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and Assembly of Barbadoes, and annexed paper of grievances. That as to the second head, that the Royal African Company hath not sent sufficient supplies to the Island, and hath sold those sent at dearer rates than when the trade was open, their Lordships find that the Island had been well supplied for twelve months' past, and that the interruption was caused by the Dutch war. Colonel Thornborough confesses the island has been well supplied, and their Lordships conceive this may fitly be taken notice of in his Majesty's letter to Sir Jonathan Atkins, who should endeavour to hinder complaints and not promote them, especially when the ground of them is removed, as in this of the negroes. His Majesty approves and hereby orders that the Lords prepare draft of letter to Governor Atkins as proposed, to be transmitted to Secretary Coventry for the King's signature [*see No.* 1179]. 2 *pp.* [*Col. Entry Bks., Vol. I., pp.* 51–53; *also Vol. VI., pp.* 109–114.]

Nov. 10. **1126.** "Order of reference in the business of Sir H. Morgan and Colonel Byndlosse, at Jamaica." There having been some complaints against Sir Henry Morgan and Colonel Byndlosse, at Jamaica, concerning their correspondence with French privateers, his Majesty commanded Secretary Coventry to transmit the same to Lord Vaughan, Governor of Jamaica, to be examined by the Council there; which having been accordingly done and matter of fact returned from thence thither, his Majesty hath further commanded Secretary Coventry to put the papers concerning that matter into the hands of the Lords Committee of Trade and Plantations to consider the whole matter, and to report to his Majesty their opinion. By direction of Secretary Coventry, John Cooke. "Rec. 10 Nov. Read 30 Nov. 1676." 1 *p.* [*Col. Papers., Vol. XXXVIII., No.* 37; *also Col. Entry Bk., Vol. XXIX., p.* 94.]

Nov. 10. Whitehall. **1127.** John Cooke to W. Blathwayte. Mr. Le Pin will deliver him two bundles of papers relating to Jamaica by Secretary Coventry's directions to be presented to the Lords of Trade and Plantations. Begs he will return a list of these and other papers he received yesterday from Secretary Coventry, that we may enter their titles. "Rec. 10 Nov. 1676, with the papers relating to Jamaica." 1 *p.* [*Col. Papers, Vol. XXXVIII., No.* 38.]

Nov 10. **1128.** *Mem.*—On perusal of several papers, ordered by Lords of Trade and Plantations that a breviat be made of the particular charges and proofs brought against Sir Henry Morgan and Colonel Byndlosse. Then follow the articles against Sir H. Morgan and proofs, and the articles against Lieutenant-Colonel Byndlosse and proofs. [*Col. Papers, Vol. XXXVIII., Nos.* 39, 40; *also Col. Entry Bk., Vol. XXIX., pp.* 101–104.]

1129. List of Papers touching Sir Henry Morgan and Colonel Byndlosse":—1. Letter from Lord Vaughan to Secretary Coventry, dated 2nd August 1676 (*calendared, see No.* 1006). 2. A state of the case on the examination of Sir Henry Morgan and Colonel Byndlosse before his Excellency and Council. 6 *pp.* Received

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from Secretary Coventry, 9th November 1676. 3. Exemplification of all the proceedings upon the citation of Sir Henry Morgan and Colonel Robert Byndlosse before the Council held at Port Royal, 24th July 1676. Received from Secretary Coventry, 9th November 1676. By the St. George, Captain Alford (*calendared, see No.* 998). 4. Sir Henry Morgan to [Secretary Coventry]. Account of his trial before the Governor and Council of Jamaica. Beseeches his Majesty to suspend giving his judgment till the next ships come which will bring other depositions he hopes will clear all. "But if his Majesty should be deaf to all and these things should give his Majesty occasion to put me out that he will be graciously pleased to order that I may be tried here at his Court of King's Bench where the witnesses are. . . . . and if ever I err in one tittle, then let me ever be condemned for the greatest villian in the world, and as God is my judge and witness I have never entertained a thought in my life but what hath been really devoted to his Majesty's service and interest nor never will." Jamaica. 1676, August 2. "Received 4th October." 5. Sir Henry Morgan to [Secretary Coventry]. Thanks for his abundant favours. Can only say, it being not in my power to make my Lord prove it, that I never since I came here writ a line to any of the privateers, therefore the copies sent are forged on purpose to my prejudice. Waited upon his Excellency expecting he would have warned me to appear before the Council, but he said nothing of it, but as I know it is false I will, the first Council, myself move it and desire what is laid to my charge may be proved which I know is impossible. "I sucked the milk of loyalty and if I would have sold one little part of it I might have been richer than my enemies ever will be." As for Colonel Byndlosse, knows nothing of crime in him, but his being related to Sir Henry, for he lives twenty miles from Port Royal, has a wife and five or six children and one of the best estates in this island, therefore he is an understanding man and would not venture that hazard and estate against nothing. His unhappiness is he serves a superior here that is jealous of all his actions and put himself to study Sir Henry's ruin for what reason knows not. Refers to Mr. Cranfield and Captain Davis who have known his actions. 3 *p. Endorsed,* "Sir H. Morgan now out of date. Received 4th September by Captain Hoskins of Bristol." 6. Captain John Bennett's Commission in French signed by Ogeron, Governor of the Tortugas and the coast of San Domingo and condemnation of his prize. April 1675. Also Ogeron's letter to Attorney. 7. Sir Henry Morgan to Captain John Bennett. Is commanded by the Captain General to acquaint all the privateers, both English and French, that they shall have at all times as much liberty of this port as ever they had, and that they may with abundance of safety come hither. Will send his Lordship protection under hand and seal so that they need not be afraid of any harm although here is a King's frigate. They may assure themselves of his Excellency's favour and friendship, Jamaica, Port Royal. 1675, March 25. 8. Sir Henry Morgan to the Privateers, Captains Rogers, Wright, Nevill, Bennett, Pryniar, and to all others acting under French Commissions as well English as French. Is com-

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manded by the General to tell them they are welcome to this island and shall have all the privileges they ever had and Port Royal is free to them. Hopes their experience of him will give him the reputation that he intends not to betray them, Jamaica, Port Royal. 1675, March 26. 9. Colonel Robert Byndlosse to [Secretary Coventry]. Is advised that Lord Vaughan has charged the writer to his Honour for contracting with the French Governor to receive the tenths for his Commissions. Account of his being summoned before the Council on 24th July of the matters objected against him, and his answers. Begs him to believe he would as soon cut his own throat as do a thing willingly in the least to incur his Majesty's displeasure. Cannot tell how he has disobliged my Lord; thinks his fault is being allied by marriage to Sir H. Morgan, if so, is contented, and it's as great a riddle to Jamaica what Sir Harry hath done. Implores his aid that his Majesty may have a right understanding of his case. 3 *pp.* Jamaica. 1676, July 29. Received, 11th October. 10. Articles to be exhibited against Robert Byndlosse before his Excellency and the Council. 1 *p.* 11. Answers of Colonel Byndlosse to the preceding articles. *Certified copy.* 4 *pp.* 12. Governor Lord Vaughan's reply to the preceding answers of Colonel Byndlosse. 1 *p. Certified copy.* 13. Deposition of Robert Byndlosse, aged forty years, before Colonel Thomas Fuller, one of his Majesty's Council. 1676, August 1. 2 *pp.* 14. Order of Council for sending Colonel Byndlosse to view the several forts at Port Royal. *Missing.* 15. Examination of Charles Barré before Governor Lord Vaughan. That soon after his Excellency's arrival he copied several letters for Sir Henry Morgan, one was directed to Captain Bennett and the other to Rogers and other Privateers. Port Royal, 1676, August 28. 16. Colonel Robert Byndlosse to [Secretary Coventry]. Complains of the Governor's proceedings as to the charges he has brought against Byndlosse. None of the papers sent home signed by the Council, for the Governor saw not one man of them but would have cleared us since nothing was proved and it was plain prejudice. My Lord does all to make Byndlosse a great friend to the Privateers. Is now a planter and has lived for nine years 20 miles from Port Royal, yet, notwithstanding his settled and easy condition which he so much loves, is willing to hazard his life and undergo any hardship for his Majesty's service, at whose command he will go in this frigate with a tender of six or eight guns and so deal with the privateers at sea, and in their holes bring in the chief of them to his Majesty's obedience or bring in their heads and destroy their ships. 3 *pp.* Jamaica, 1676, September 12. Received, 9th January 1677. 17. Deposition of Charles Barré, Secretary to Sir Henry Morgan, Lieutenant-General of Jamaica. That about March 1675 he did copy by Sir Henry's orders two letters Sir Henry had written with design to have sent them to the captains of several privateers, to advise to come to Jamaica with prizes and they should be well received, but understood Sir Henry wrote said letters by consent of Lord Vaughan and sent him copies of each letter to underwrite his approbation, which the Governor deferring Sir Henry refused to send said letters.

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Confesses accepting Captain Smith's offer to go a trading voyage with him, but positively denies he was sent by Sir Henry to treat or act any business with the French or English privateers neither did Sir Henry. Also touching Lord Vaughan's examination of this deponent after his return from his said voyage. 2 *pp.* Port Royal, 1676, September 12. "Received from Mr. Secretary Coventry and read 31st January 1677, sent by Colonel Byndlosse." [*Col. Papers, Vol. XXXVIII., Nos.* 41–55; *also Col. Entry Bk, Vol. XXIX, pp.* 105–106.]

Nov. 11. Whitehall. **1130.** The King's instructions to Herbert Jeffreys, Sir John Berry, and Francis Moryson, his Majesty's Commissioners for Virginia. 1. To embark on board the Bristol and transport themselves to Virginia. 2. Being arrived they shall inform themselves truly and thoroughly of the state of affairs in that Colony. 3. To be assistant to the Governor with their advice whenever he shall demand it, and particularly in renewing a peace with the neighbour Indians. 4. To inform themselves how his Majesty's instructions to Governor Berkeley (*of 12th September* 1662, *see No.* 368 *in a previous volume*) have been pursued, and wherein there hath been any failure, upon what grounds and by whose neglect and wilful fault. 5. To inform themselves of all grievances, but particularly of that which the people seem so much concerned in, the great salary paid to the members of the Assembly. 6. To possess his Majesty's subjects there that, as he will be severe in punishing the guilty, so he will be indulgent and direct proportionable redress to the just complaints of his oppressed people. 7. To make particular acquaintance of the Council there, in order to a clearer information of affairs in general. 8. To make a particular inquiry into the militia. 9. Also into the laws, and return their remarks thereon. 10. To send accounts of their proceedings. 4 *pp.* [*Col. Entry Bks., Vol. LXXX., pp.* 117–120, *and Vol. XCV., pp.* 161–165.]

Nov. 11. Whitehall. **1131.** The King's instructions to Herbert Jeffreys, Lieutenant-Governor of Virginia, and Commander-in-Chief of his Majesty's forces there. These are comprised under eight heads, and are identical with the additional instructions to Sir W. Berkeley, dated 13th October 1676 (*see ante, No.* 1068); but articles 7 and 8 of Berkeley's additional instructions in reference to Bacon are omitted. In article 9 (7 in these instructions) is an addition, that whatever duties were formerly payable to Governor Berkeley out of the Colony of Virginia for support of the Government, Jeffreys shall receive himself to the same use during his being Commander-in-Chief there. 3 *pp.* [*Col. Entry Bks., Vol. LXXX., pp.* 122–124, *and Vol. XCV., pp.* 167–171.]

Nov. 11. Whitehall. **1132.** Additional instructions for Herbert Jeffreys, Lieutenant-Governor of Virginia and Commander-in-Chief of our forces there. 1. To embark with all convenient speed, and make the best of his way to Virginia. 2. Upon his arrival, to take all advantages upon the enemy, in order to the suppression of the rebellion there, in case he finds the rebels still in arms, and in landing his forces to take the advice of Sir John Berry and Colonel Moryson. 3. To

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endeavour to speak with Sir W. Berkeley or some of the Council as soon as he can. 4. To publish his Majesty's proclamation if not done before his arrival, and if Bacon fall into his hands to make his process there or send him on shipboard with proofs of his crimes. To the end that he may not easily make his escape letters have been written to New York, to New England, and to Maryland to seize said Bacon, and return him prisoner. [*Col. Entry Bks., Vol. LXXX., pp.* 125, 126, *and Vol. XCV., pp.* 172–174.]

Nov. 13. Whitehall. **1133.** The King to John Lord Vaughan, Governor of Jamaica. His Majesty having thought fit to send some ships of war, and a good number of land forces for suppressing the rebellion in Virginia, and having employed certain merchant ships in that service, should any of the said ships by stress of weather or accident be driven upon the island, he is to take all possible care to see them refitted, &c. Similar letters were written to Sir Jonathan Atkins, Governor of Barbadoes, and Colonel William Stapleton, Governor of the Leeward Islands. 2 *pp.* [*Col. Entry Bk., Vol. XCV., pp.* 180–182].

Nov. 14. **1134.** Secretary Coventry to the Attorney-General. To consult with the Lord Chancellor in drawing up a new Commission of Oyer and Terminer, both concerning the number and persons fittest for the quorum. Sends such names as at present occur to him ; if the King think fit to add or alter any he shall have notice. *Annexed,*

1134. I. *Mem.*—In pursuance of the above letter of 14th November 1676, a Commission of Oyer and Terminer was prepared and passed under the Great Seal, dated 16th November, 28 Car. II. The names of the Commissioners are as follows :—

Sir William Berkeley, Governor.
Herbert Jeffreys, Lieutenant-Governor.
The Captain General of the Forces.
Sir Henry Chicheley.
Sir John Berry.
Thomas Ludwell, Secretary.
Colonel Francis Moryson.
Abraham Wood.
Colonel Nathaniel Bacon, senior.
Colonel Nicholas Spencer.
Colonel Philip Ludwell.
Colonel William Cole.
Major Leigh.
Captain Ralph Wormeley, or any two or more, the Governor, Lieutenant-Governor, or Captain-General of the Forces to be one. [*Col. Entry Bk., Vol. XCV., pp.* 183–185.]

Nov. 14. Whitehall. **1135.** Journal of the Lords of Trade and Plantations. Their Lordships taking notice of a letter from the magistrates of Boston, excusing their not sending over agents so suddenly by reason of

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the Indian War and other impediments, order a letter to be prepared for his Majesty's signature requiring them with all speed to convene a general Court for the deputing of agents, those former obstacles being now ceased. [*Col. Entry Bk., Vol. CIV., p.* 248.]

Nov. 15, Whitehall. **1136.** Secretary Coventry to Sir W. Berkeley. The uproars of Virginia have been so "stupendious" since his only letter of 3rd June last, that in any age but ours, that hath been accustomed to prodigies, they would hardly find belief. His Majesty and Council, much disturbed at receiving no account of his affairs there, their intelligence being from persons unknown here, have many times doubted whether he were alive or no. The King hath sent over a supply of both men and ships, the ships to be commanded by Sir John Berry, the men by Colonel Jeffreys. And considering the earnestness of his petition, and how much the increasing of Bacon's rebellious party hath rendered the affairs more insupportable to a man of his age, his Majesty hath written a letter to him calling him hence to receive a perfect account of the state of affairs from his mouth, and hath granted a commission to Colonel Jeffreys to act in his stead under the title of Lieutenant-Governor. [*Col. Entry Bk., Vol. XCV., No.* 177.]

Nov. 15. **1137.** Certificate of some of the officers going to Virginia who desire their pay may be satisfied and paid in England to their assigns during their absence. *Signed by* Hert. Jeffreys, Edward Picks, John Mutlowe, Ch. Myddelton, Will. Meoles, and J. Tonge. 1 *p.* [*Col. Papers, Vol. XXXVIII., No.* 56.]

Nov. 17. **1138.** Edward Randolph to the King. Has, since his return to England, seen the answer of the Boston magistrates alleging the Indian war and an epidemical sickness as the reason of their not convening the General Court with whom it lies to make answer; knows that these are notorious falsehoods. The Indian war was ended and the articles of peace published before he left Boston; moreover, the Massachusetts has not suffered so much as New Plymouth and Connecticut; neither was there any extraordinary sickness among them; only a little before his arrival three or four rich old men died, more of age than any other disease, among them Mr. Russel, the Treasurer, about 70 years old. Had solicited the Magistrates to call a General Court at a time when all the Magistrates were at Boston together, and particularly on June 23 gave in a memorial to the Governor and Council to that effect; received no answer but that they had replied to the King's letter of 13th June; was, for doing this his duty, judged to have exceeded his errand, and in a menacing way was advised not to be found slighting or imposing on their authority. By their constitution a full and General Court can be formed of the Governor or his Deputy and six assistants, and on urgent occasion when seven cannot meet, the act of those who do meet is considered valid; when the King's letters were read there were seven Magistrates present in council, and the country was so quiet that about 21st June some of the Magistrates

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went to Hampshire and Maine to try causes. It was the opinion of several eminent inhabitants of Boston that the Government would not send over agents to appear, and having often disobeyed the King's commands, especially of 10th April 1666, with impunity would still persist in their disobedience. 1 *p.* *Endorsed,* "Rec. 30 Nov. 1676." [*Col. Papers, Vol. XXXVIII., No.* 57.]

Nov. 18. **1139.** *Mem.*—That Colonel Herbert Jeffreys took the oaths of allegiance and supremacy as Governor of his Majesty's plantation of Virginia on 18th November 1676 before the Lords of the Privy Council. [*Col. Papers, Vol. XXXVIII., No.* 58; *also Col. Entry Bk., No. LXXX., p.* 133.]

Nov. 19. Whitehall. **1140.** Secretary Coventry to Herbert Jeffreys. That there may be no scruple remaining, is commanded by the King to signify his Majesty's pleasure that the printed book of articles of war now in Jeffreys' hands published in 1673 and signed by his Majesty is the form of articles he is to follow during the war in Virginia. [*Col. Entry Bk., No. XCV., p.* 186.]

November ? **1141.** List of persons appointed for Virginia whose freight is not yet contracted for. These are the commissioned and non-commissioned officers, including an adjutant, five captains, ten lieutenants, and five ensigns. 1 *p.* [*Col. Papers, Vol. XXXVIII., No.* 59.]

Nov. 21. **1142.** Commission from the Lords Proprietors of Carolina to Thomas Eastchurch. Appointing him Governor and Commander-in-Chief of Albemarle during pleasure with all the powers and authorities, civil and military, which by virtue of our Fundamental Constitutions a Governor and Commander-in-Chief ought to have. 8 *lines.* [*Col. Entry Bk., Vol. XX., p.* 114.]

Nov. 21. **1143.** Similar Commission. Appointing Thomas Eastchurch Governor and Commander-in-Chief of all such settlements as shall be made upon the rivers of Pamplico and Newse in Carolina. [*Ibid.*]

Nov. 21. **1144.** Commission from the Lords Proprietors of Carolina to Thomas Eastchurch. Appointing him Surveyor-General of Albemarle and of such settlements as shall be made on the rivers of Pamplico and Newse, during pleasure. [*Ibid.*]

Nov. 21. **1145.** Similar commission appointing Thomas Miller Registrar of Albemarle, during pleasure. [*Col. Entry Bk., Vol. XX., p.* 115.]

Nov. 21. **1146.** Appointments by Anthony, earl of Shaftesbury, to Thomas Miller to be his deputy of the Province of Albemarle; by Henry, earl of Clarendon, to John Radcliffe to be his deputy of the Province of Ashley River; by Christopher, duke of Albemarle, to James Hill to be his deputy of the Province of Albemarle; and by William, earl of Craven, to Timothy Biggs to be his deputy of the province of Albemarle; all during pleasure. [*Col. Entry Bk., Vol. XX., pp.*, 115, 118, 119.]

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1147. Instructions from the Lords Proprietors of Carolina to the Governor and Council of the Province of Albemarle. To observe the rules of strict justice, friendship, and amity with the neighbour Indians and not suffer them to have any just cause to complain of oppression or injustice. To send account of what tribute or payments are received from any Indians, and upon what account demanded. To take special care that justice be duly administered, and that it be neither tedious, troublesome, nor troublesome to attain it, "for men of prudence and estates have no reason to venture themselves in any place where liberty and property are not well secured." To promote and propose in the Assembly the making of such laws as may best secure the ancient and native rights of Englishmen, and in particular the trial of criminal causes and matters of fact by a jury of freeholders according to the 6th Article in the Fundamental Constitutions. To propose to the Assembly an Act against arresting or restraining a man until first lawfully summoned to appear; also as to how far the great Council shall be allowed to arrest for debt or judgment given, so as to have assistance for his defence. To prohibit trade between the Indians and any others not freeholders. To settle plantations and towns on the south side of Albemarle River, being a frontier settlement. Expressly order the settlement of three towns to be the port towns of the county of Albemarle (*see letter ante, No.* 1075). Earnestly recommend them to advise what privileges, concessions, and rules may be granted either by the Lords Proprietors or by their Lordships and the Assembly by an Act by the next despatches that orders may be given concerning them. To do all in their power to divert trade from New England to England "it being a certain beggary to our people at Albemarle if they buy goods at second hand" and sell their tobacco and commodities at a lower rate than in England. To send exact account of the number of feet in the several inlets at low-water mark, and where a ship may best ride to lade and unlade, "for this has been so concealed and uncertainly reported here as if some persons amongst you had joined with some of New England to engross the poor trade you have and keep you still under hatches." To give account of the number of inhabitants, how much tobacco they make yearly, the number of cattle, and what commodities they have to trade with to induce merchants to come. On all opportunities to give account how matters stand. [*Col. Entry Bk., Vol. XX., pp.* 116–118.]

Nov 22. **1148.** Petition of the Company of Royal Adventurers trading to Africa to the King. That their agent Edwin Steed having seized the Anne of Barbadoes and her landing of negroes imported thither contrary to his Majesty's charter, James Vaughan, Bernard Schencking, and Arthur Midleton, merchants, brought an action in Barbadoes against Steed grounded upon the statute of monopolies for recovery of treble damage contrary to law. Pray his Majesty to command the governor of Barbadoes to secure petitioners and their agents all those privileges granted to them. *Endorsed,* "Read in Council, Nov. 22, 1676." [*Col. Papers, Vol. XXXVIII., No.* 60.]

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Nov. 22. Whitehall.

1149. Order of the King in Council on preceding petition. Referring it to the Committee of Trade and Plantations to report what they conceive most fit to be done for the petitioner's relief, and then his Majesty will declare his further pleasure. *Annexed,*

1149. I. Opinions of the Attorney and Solicitor General on two queries in an action brought in Barbadoes upon the Statute of Monopolies, for seizing goods imported from Guinea contrary to the privileges granted to the Royal African Company. [*Col. Papers, Vol. XXXVIII., Nos.* 61, 62; *also Col. Entry Bks., Vol. I., pp.* 53–56, *and Vol. VI., pp.* 115–117.]

Nov. 22. Nevis.

1150. Governor Stapleton to Lords of Trade and Plantations. Sends answers to their Lordships' inquiries, and craves a favourable construction if there be anything preposterous or any omission. Nothing wanting but the map of Antigua, "which is a drawing," but will take more time. Supplicates that his Majesty's orders on their Lordships' report of 18th June 1675 may be punctually observed as to arrears, &c. Has no vessel for his transportation from one island to another but what he hires, his government being different from Barbadoes or Jamaica. Beseeches payment of his arrears in Sir T. Bridges' regiment as Lieutenant-Colonel and Captain from February 1666 to October 1671, and for other expenses. *Endorsed,* "Rec. with answers to inquiries, 25 Jany. 1676–77." 1 *p.* [*Col. Papers, Vol. XXXVIII., No.* 63, *and Col. Entry Bk., Vol. XLVI., pp.* 137, 138.]

Nov. 22. Nevis.

1151. Governor Stapleton to Sir Robert Southwell. Has at length completed his answer to inquiries, and desired his friends, Captains Gorges and Freeman, to present his respects. Colonel Warner is after his great sufferings come off with credit by a learned ignoramus of the grand jury, and was cleared by proclamation, which could not be otherwise unless they would hang him right or wrong: The fellow who falsely deposed against him is sent to Holland in irons upon a letter Stapleton wrote to the Governor of Curaçao to have him sent thither, or punished for stealing 30 odd negroes from the English part of St. Christopher's, which he did twice, and other felonious acts. Begs him to press the readings of his answers to inquires, and endeavour to get a suitable answer. *Endorsed,* "Rec. with answer to inquiries, 25 January 1676–77." 1 *p.* [*Col. Papers, Vol. XXXVIII., No.* 64.]

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1152. Answer to inquiries sent to Colonel Stapleton, Governor of the Leeward Islands, by command of the Lords of Trade and Plantations by Sir Robert Southwell. 1. A Council in each island, in number twelve, where persons enough to be chosen, but in most of the islands, except Nevis, there cannot be twelve, not being half populated. An Assembly composed of two freeholders from each parish, yearly chosen. Monthly courts of judicature in each parish, held by the Justice of the Peace, who is commissioned Judge, with two or three members of the Council or Assembly as

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assistants, in causes not exceeding 1,000 lbs. of sugar, or 6*l.* 5*s.*, at 12*s.* 6*d.* per 100 lbs., otherwise referred to the General Sessions, held twice a year by the Governor and Council, or oftener if necessary; a Court of Equity is also held by the Governor and Council. Recites the custom in Nevis since the infancy of settlement to this day. 2. Courts of Judicature relating to the Admiralty. 3. The legislative power is in the votes of the Council and Assembly, assented to by the Governor, who has a negative voice; laws so passed in force only for two years if his Majesty gives not his assent. The executive power in the Provost Marshal by warrant from the Governor, who also signs all executions, letters of administration, probate of wills, and licenses of marriage after publication made in churches. 4. Many laws in force too tedious to be mentioned, some being frivolous, but those in force conformable to the laws of England, and those of moment sent home. 5. Two standing companies of foot in St. Christopher's, which should be eighty in each company, besides officers, but now are only forty-nine in one company and fifty-four in the other, besides officers, and are in the greatest necessity ever soldiers were in, in sight of the French nation, whose soldiers are well paid, well armed and accoutred. Seven companies of Militia, foot, English, French and Dutch, but little credit to be given to the aliens for all their oath. Nevis: only twenty-two in pay, and five gunners to guard the guns, a troop of sixty horse, ill-armed and horsed, because generally used to carry sugar. A regiment of 1,300, the Deputy-Governor Randall Russell, Colonel, Francis Morrison, Lieutenant-Colonel, Daniel Lanhather, Major, "sees" them all four times a month, when they are exercised; this country the worst for arms he has ever been in. Antigua: but two files of men in pay, a troop of 33 horse, a regiment of 770 foot, Colonel Philip Warner, Colonel, Lieutenant-Colonel Rowland Williams, Major Thomas Mallett. Montserrat: two files of men paid by the country in two forts, a troop of forty horse, a regiment of 877 foot, the Colonel, his brother Edward Stapleton, who is also Deputy Governor. Small number of people in Statia, Saba, and Anguilla, where Captain Abraham Howell is Deputy-Governor, with sixty men ill armed. In Statia and Saba four files of men, these islands of no advantage, but rather of disadvantage to his Majesty, being refuges for any who design fraud, and were better under water than above. In Barbuda some twenty servants belonging to those who have farmed the Island from Lord Willoughby for thirty years, they look after a considerable stock of horses, cattle, and sheep, which may in time be an advantage for victualling his Majesty's ships, or the inhabitants of these islands. In Tortola good supply of timber. 6. Describes the castles and forts within his government in St. Christopher's, Nevis, Antigua, and Montserrat. 7. Concerning the number of privateers that frequent the coast, their burthen, number of men and guns, &c. The number cannot exactly be given. The French have several at Hispaniola. The Dutch have had sixteen privateers last year in those parts, but none exceeded 25 guns; they much molested our merchants in the late war. Can name but few, Captain Barnes with 12 guns and 150 men, Captain

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Francis, a mulatto, with 12 guns and 60 men, William Hamlyn, who took a false oath against Captain Warner and ran away with a sloop from Antigua to Curaçao; is informed Hamlyn is sent to Holland to be punished. The French and Dutch have considerable men-of-war every year, wars between them at Martinique, where De Ruyter landed soldiers. Whoever is master of the sea, and has good soldiers, from October to June, can carry or destroy the strongest islands. 8. The strength of his neighbours, whether Indians or other nation: About 1,500 Indians in St. Vincent, Dominica, and St. Lucia, six hundred of these bowmen are negroes, some run away from Barbadoes and elsewhere. There are about 1,800 French on St. Christopher's, about the same number at Gaudaloupe, 5,000 at Martinique, and 300 in the Grenadas. Cannot tell the number on other islands plundered by the Dutch. At St. Cruce 600 men, and at Hispaniola upwards of 4,000. The Dane has no other Colony but St. Thomas, with 300 inhabitants, they are but new planters, and have but two trading ships every year. The Dutch have a considerable fort at Curaçao, and are settling Tobago where are 600 soldiers, in Surinam 600 inhabitants, but knows not their strength in other places. Cannot give account of the Spaniards and their Indians. Has not during the ten years he has been out seen any trade with the Indians. Trade between the Dutch and Spaniards for negroes several thousand yearly. The French very considerable as to their trade and commerce. 9. The correspondence he keeps with his neighbours: With the Indians none at all, who are detestable for their villanies and barbarous cruelties. 10. The arms and ammunition he found on the place, and has since received, and what remain. 11. The money paid by his Majesty or levied within his Government towards buying arms, or maintaining fortifications, and how spent. 12. The boundaries, longitude and latitude, and land within his Government, number of acres patented, settled or unsettled, and manurable: Nevis contains by computation 320,000 acres, about 7 miles in breadth and 15 miles in length, 2,000 acres patented, the whole Island settled, except the top of the mountain. Antigua, 28 miles in length and 12 miles in breadth, 120,000 acres whereof 100,000 acres manurable, whereof 70,000 taken up. About 3,000 acres in the several small adjacent islands. Montserrat, 25 miles in length and 8 miles in breadth, 60,000 acres, one-half not manurable because very mountainous, 20,000 acres patented, 4,000 acres unsettled. Statia, Saba, and Anguilla never surveyed, fitter for raising stocks of cattle than to yield sugar or other commodities. Barbuda computed as big as Nevis, never surveyed, fit for cotton and indigo. 13. The principal towns and places of trade, buildings, and their strength and size: In St. Christopher's, Sandy Point, and Old Road, the places of trade, the buildings but ordinary of timber, covered with thatch, very few shingled. In Nevis, five places for trade, but two considerable; Charles Town, where are good dwellings and storehouses, built with the country timber, not exceeding 60 feet long and 20 broad, story and a half, the "Hurri-Canes" having taught the people to build low. Morton Bay, where are but few houses, because ships ride at Charles

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Town and send their long boats to Morton Bay for lading. In Antigua, six places of trade, but only two very small towns; in St. John's and Falmouth houses built as in Nevis. In Montserrat, three places of trade, Kingsale, Plymouth, and the Road, trade and houses small; there were here some stone buildings, but the earthquakes having thrown them all down, they build with timber only except the boiling-houses for sugar, which in part must be built of stone. 14. As to parishes, precints, or divisions: In St. Christopher's, six parishes or precints, seven divisions, termed so from the divisions of the companies, for they are called such, a captain's division; the precints or parishes from the churches formerly there erected and demolished by the French. In Nevis, four parishes or precincts, thirteen divisions, which take their appellations as before from such and such captains. In Antigua, six precincts, which are the places of trade, but one church, and that at Falmouth, which serves also for the Court House, their watching and warding against the Indians not admitting of their public buildings, divisions ten. In Montserrat, four precincts, and but two parishes, only two churches ever built, and those demolished by the French, rebuilt by the Governor's directions on his arrival, but levelled with the ground by a terrible earthquake on Christmas Day, 1672, "and had the people been in the afternoon at church they had been knocked in the head." In some houses persons were killed, as in his own "it is beyond my purpose to express the miraculous escape of my own family and others." Ten divisions from the names of the captains. The other islands were never divided into any parishes or rules. 15. The rivers, harbours, and roads: Six rivers in St. Christopher's, and two roads in the English part. In Nevis, three rivulets, and "a very good hot bath," but one road, the best in all these islands. In Antigua, two rivulets, four good harbours, and many a good road, bay, and creek, all named. In Montserrat, twelve rivulets, whereof three hot at their springs. Four waterworks for making sugar, and might be more if the island were well settled and encouraged. No harbours, but three good roads, several good bays of depths for the best ship in the world. In Barbuda, Statia, Saba, and Anguilla, open roads, no rivers or harbours. 16. Commodities of their own growth or production, and their value also of imports: Sugar, tobacco, indigo, cotton, and ginger; about 3,600 tons of sugar exported directly for England, and not more than 40 tons to New England, New York, and Virginia. Very few materials growing, or can be produced for shipping, unless in Antigua, as Spanish ash, or pines for masts, white and red cedars. Imports of the manufacture of England to the value of 50,000*l.* sterling, and wines from Madeira. Servants, horses, and provisions from Scotland, Ireland, and New England, about 20,000*l.* per annum, besides blacks from the Royal Company, of which the inhabitants of the four islands are able to take up and pay for them well one thousand annually, valued at 20,000*l.* sterling. 17. Knows not of any store of saltpetre, but what Colonel Philip Warner has in cave in Antigua; questionless there are saltpetre, sulphur, and other minerals in most of the Islands. 18. The number of merchants and planters, English and foreign,

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servants and slaves, and able to bear arms: All English, if under that denomination, all the King's subjects, 3,914, by lists refers to his answer to 5th inquiry, yet never expects two-thirds in the field, much less on service, "for in the exactest disciplined army, unless it be to receive pay or bread, the third part of the number listed does not appear, what by sickness, cowardice, or false musters, much less may be expected from Militia on service." 19. The number coming yearly to plant the last seven years, and blacks or slaves brought in: No register has been kept, there are no foreigners except in St. Christopher's, the number of blacks cannot be given for the same reason; the rates different according to their condition; from 3,500 to 4,000 lbs. of sugar given to the Royal Company's factors, no certain rate but as agreed, from 20*l.* to 22*l.* sterling. 20. Number of whites, blacks, or mulattos, born and christened the last seven years: The scarcity of ministers, sometimes having none at all, and no registers kept of births, christenings or burials is what can be said to this inquiry. No records of this Island (Nevis) have been kept "until they have felt the smart of it and built a good substantial Sessions House, and strong chests to secure all things in hurricane time." 21. The number of marriages the last seven years: Shall advise with the Council of a method in future to enable a satisfactory answer to be given. 22. The number of deaths: No register kept of burials. 23. As to the value of the estates of Planters and the wealth of the islands in general: Reasons why no true estimate can be given; they generally conceal the number of their negroes because levies are made for public charges per poll, yet, as near as may be, in St. Christopher's 67,000*l.*, Nevis 384,660*l.*, Antigua 6,700*l.* (*sic*) [67,000*l.*], Montserrat 62,500*l.*, Statia, Saba, and Anguilla 1,000*l.*, Barbuda 2,500*l.*; by a conjectural estimation the wealth of all is 584,660*l.* sterling. 24. The number of vessels trading yearly and their burthen: About 100, from 15 to 200 tons, besides ketches and sloops lading from one island to another. 25. Obstructions to improvement of their trade and navigation: The want of a constant supply of servants from England, Scotland, and Ireland; the want of men-of-war; how the French are supplied; has not so much as a sloop to go from one island to another, but has to hire to his great charge. Copy of the King of France's Order to the Marquis de Granée on this subject. 26. The advantages or improvements to be gained in their trade and navigation: A constant supply of servants and of men-of-war; the building a strong fort in each island. The French and Dutch have extraordinary care of their plantations. The Dutch now going to settle Tobago. 27. Duties payable on goods exported and imported: No duties except the 4½ per cent. upon all goods; impost of 200 lbs. of sugar per pipe upon Madeira wines, Spanish and Portugal, and of 50 lbs. per hogshead on French wines. 28. The revenue arising to his Majesty: No revenue but the 4½ per cent. already mentioned. 29. The religion most prevalent: The Protestant most prevalent or professed in all the islands, the generality of the inhabitants being all Protestants, the Common Prayer and Divine Service being read every Sabbath. In Nevis, are some few Quakers, and in

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Antigua are sixty; in both islands as many various religions as at home, but most frequent the churches when they like the parson or a fit of devotion comes upon them; cannot tell the variety of their religions. In Montserrat most part are Roman Catholics, it being first settled by those of that persuasion, yet they give no scandal to the Protestant Church, which is the prevalent persuasion. Every license of marriage, probate of will, and all other ecclesiastical acts according to the Church of England; in fine, the Protestant religion is as eight to one, the Romish, in Montserrat, six to one Protestant and no Quaker, for they won't let any live among them. The Quakers' singularity and obstinacy have given the Governor more trouble than any others, not content with the peaceable enjoyment of what they profess in their families, they meet and once disturbed a Minister, for which they were imprisoned and fined, and have since been quiet. They will neither watch nor ward against the Caribbee Indians, whose treacherous and barbarous murders, rapes, and enormities discourage the planters in the Leeward Isles more than anything else. 30. As to instruction in the Christian religion, churches, and Ministers, and their maintenance, the poor, and whether any beggars or idle vagabonds: The Ministers preach the word of God, parents send their children to some few schools, and Ministers catechise great and small. In all ten churches, in St. Christopher's two, Nevis four, Montserrat two, Antigua two, in the other islands none; five Ministers in all, one not in orders, six more good ones would be sufficient; their maintenance is 10 lbs. of sugar per poll, white and black, besides what is given at marriages and funeral sermons. In proportion to the number of parishes fifteen Ministers are wanting, besides one each for Statia, Saba, and Anguilla, but indeed ten or eleven are more than can be handsomely maintained by all the islands, so that six, with what we have, is enough. Collections are made for the poor, and by an Act parishioners are also rated, to which all voluntarily submit but the Quakers, whose goods are sold for payment of said rates. No beggars or idle vagabonds, for all who can are obliged to plant and work. 33 *pp.* *Endorsed,* "Rec. 25 Jany. 1676–'7." [*Col. Papers, Vol. XXXVIII., No.* 65; *also Col. Entry Bk., Vol. XLVI., pp.* 138–190.]

1636, May 25, to 1676, Nov. 22.

1153. "Some of the bye-laws made by the Governor and Company for the plantation of the Summer Islands, offered to the consideration of Parliament." That towards the maintenance of Ministers and other public charges, the duty of a penny be imposed on every pound of tobacco imported from the Somers Islands. Order at a General Court, 18th August 1658: that the Governor and Council be authorized to seize and sell goods or lands of any person refusing or neglecting to pay the Company's duties. "The long Law of Seizure of Ships," at a General Quarter Court held 22nd November 1676, at Sadler's Hall. A law to revive and make perpetual a law made at a Quarter Court, 12th July 1671, entitled, a Law making forfeit all such goods and commodities as are usually imported into the Somers Islands in the Company's magazine ships, in case the same be imported thither in any other

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ships; also for the seizure of tobacco and cedar sent aboard ships to be transported without license; and also making forfeit all such ships or vessels as shall import or export any such goods, commodities, tobacco, or cedar, without license; and also appointing the Factor to produce his invoice, make oath thereof, and sell according to the same. Order at a Quarter Court, 25th November 1663, that no vessel exceeding five tons be built in the Somers Islands without express orders from the Company, on penalty of forfeiture, one-fourth to the informer and three-fourths to the Sheriff for public uses. Order at a Quarter Court, held at Armourer's Hall, in Coleman Street, London, 10th February 1669–[70]. That no ship be entertained as a magazine ship in any voyage to the Somers Islands, wherein any member of this Company shall have any share or interest. "The 117th Law of the Company printed." All grants from the Company of men's private lands in the Somers Islands shall pass under the Common Seal of the Company, which shall be sufficient evidence for said lands, &c. Order at a Quarter Court, 25th May 1636, that to prevent planters in the islands buying divers shares of land for their own use, which in time may be of ill-consequence to the Company, the Court do give authority for buying all such lands, and do confirm their former order; that no one shall be admitted of the Company by virtue of any land he shall buy, unless same were first offered to the Company, nor any such deed be ratified, under the Company's seal. *Printed*, 3½ *pp.* [*Col. Papers, Vol. XXXVIII., No.* 66.]

Nov. 23. Port Royal. **1154.** Journal of the Council of Jamaica. Patent to William Parker for a ferry over the salt and fresh rivers between the parishes of St. Andrew and St. Katherine. The Clerk of the Enrollment to record the powers of John Ball from the Royal African Company as one of their factors. Unanimous approval of his Excellency's choice of Lieutenant-Colonel Samuel Long to fill the vacancy of the Chief Justice. [*Col. Entry Bk., Vol. XXXV., pp.* 531–535.]

Nov. 23. African House. **1155.** Andrew King, sub-Governor, Gabriel Roberts, Deputy-Governor, and seven [? Committees] of the Royal African Company to Secretary Sir Joseph Williamson. In answer to letter from Port Royal of 24th June, send account of the ships of the Company which should have delivered their negroes at Jamaica in 1676, none of which by their last letters thence had arrived, but believe they are all there by this time, viz.: four ships with 1,660 blacks. The planters there owe the Company up to June 1676, 25,000*l.* Have since designed five ships with 1,540 blacks to be there in 1677, and shall continue to give them a large supply. Conceive it highly reasonable they be minded to be punctual in their payments, otherwise, the Company will not be able to continue as they earnestly desire. Hopes he will be satisfied, the people of Jamaica have no just cause to complain of want of negroes much less of the price. Their own commodities they value at 100*l.* will not fetch 70*l.* in England. [*Col. Papers, Vol. XXXVIII., No.* 67.]

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Nov. ? **1156.** Petition of the Royal African Company to the King They have received a memorial from Signor Grillo, requesting, in regard petitioners cannot at present possibly deliver the contracted number of negroes, to be allowed to buy so many of the planters and Portuguese as may complete the contract, and take them on Portuguese or Spanish ships to Jamaica and Barbadoes paying the same duty as petitioners are liable to pay. Pray his Majesty to give order to the Governors of Jamaica and Barbadoes that Signor Grillo's Agents may enjoy said immunities. *Endorsed by* Williamson "Royal Company." [*Col. Papers, Vol. XXXVIII, No.* 68.]

Nov. 24. Council Chamber, Whitehall. **1157.** Mem.—The Lord Privy Seal is desired by the Lords of Trade and Plantations to report to his Majesty that, having considered the case of the Royal African Company referred to them by an Order in Council of the 22nd instant (*see ante, No.* 1149), and thereupon received the opinions of the Attorney and Solicitor General (*see ante, No.* 1149 I.), their Lordships propose that a clause be inserted in the letter prepared for the King's signature to Sir Jonathan Atkins, Governor of Barbadoes, commanding him to secure the Royal African Company and their agents in the quiet enjoyment of their privileges, and to take care that no vexations or actions be brought and encouraged there contrary to law and in contempt of his Majesty's charter. 1 *p.* [*Col. Entry Bks., Vol. I., p.* 57, *and Vol. VI., p.* 118.]

Nov. 24. Whitehall. **1158.** Order of the King in Council on preceding report of the Lords of Trade and Plantations. That a clause be inserted in said letter to Sir Jonathan Atkins, Governor of Barbadoes, to the effect above-mentioned, with a reprimand to him for suffering said action to be commenced against the petitioners' (Royal African Company) agents for acting according to his Majesty's charter. 1 *p.* [*Col. Papers, Vol. XXXVIII., No.* 69; *also Col. Entry Bks., Vol. I., pp.* 57, 58, *Vol. VI., pp.* 119, 120, *and Vol. CIV., p.* 256.] On 30th November 1676 the draft of a letter from the Committee to Sir Jonathan Atkins was read and some additions agreed on. [*Col. Entry Bk., Vol. CIV., p.* 258.]

Nov. 24. Whitehall. **1159.** Journal of Lords of Trade and Plantations. Petition of John Downing read (*see ante, No.* 1120), and on reading the Minutes of 8th August last the consideration of this business is referred to a fit time. *Mem.*—Downing delivered the Commission and Instructions (*enclosed in his petition*) which are to be copied. [*Col. Entry Bk., Vol. CIV., p.* 254.]

[Nov. 24.] **1160.** "A brief narrative concerning Newfoundland" signed by John Downing. Patents granted to Lord Baltimore and others. His father sent over with the King's Commission in 1640. Found fifty-six guns mounted in the several forts. All nations in amity with his Majesty might freely buy and catch fish, build houses, and have fishing room on shore in any part of the Island as freely as any English subject, provided he paid his impost. By the patent, inhabitants were not within six miles to destroy the woods or to

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convert the rooms fit for drying fish to other uses. A generation of men have been practising the ruin of the inhabitants ever since any people settled there, that they might be the better established in the seat of oppression. Describes their position in 1674 and in 1675 under Sir John Berry and Captain Russell in 1676, and how the woods have been fired sometimes carelessly by "the fire they light tobacco." Filling the harbours with ballast and stones is done by ships. As to the furnishing the inhabitants with wine and brandy. Commonly eight vessels come every year from New England with provisions and clothing. Relief given by the inhabitants to shipwrecked men, and those with scurvy and other sickness who mostly "get their cures and become able to do service." Danger of forcing men to quit their houses and employments. Account of the French and their strength in Newfoundland. Placentia fortified with ordnance and a garrison of soldiers, also St. Peter's. Encouragement offered by the French King to his subjects to inhabit Newfoundland. Relation of John Aylred, merchant of Waterford, concerning Placentia; 250 French families there "which, according to our families, may be above 2,000 men," 400 soldiers in garrison in the King's pay, not less than 200 sail of ships. It is said Newfoundland is sufficiently guarded by fogs and ice after the fishing ships go till the arrival of the English fishermen. English ships commonly all gone in September, and by patent are not to sail out of England till March. Ships from England, Ireland, France, Spain, Portugal, and New England come in November and December. Some arrive beginning of March. The best fishing in May. Ice comes on the coast in February and March, sometimes in April, some years none to be seen; the ice is not made here, but breaks up the summer before in some cold straits and winds, and currents bring it on this coast. *Endorsed*, "Rec. 24th November 1676, from Mr. Downing." 3½ *pp.* [*Col. Papers, Vol. XXXVIII., No.* 70.]

[No. 24.] **1161.** Petition of John Byndlosse to the Lords of Trade and Plantations. Praying when their Lordships take into consideration the papers concerning Sir Henry Morgan, to whom he is agent, and Colonel Byndlosse his brother, he may have leave to give his attendance and offer anything that may tend to their service or their Lordships' satisfaction therein. *Endorsed*, "Read 24 Nov. 1676." [*Col. Papers, Vol. XXXVIII., No.* 71.]

Nov. 24. Whitehall. **1162.** Journal of Lords of Trade and Plantations. The preceding petition read, whereupon the Lords resolve to enter upon this business Tuesday next (28th) and order notice to be given to Mr. Byndlosse. [*Col. Entry Bk., Vol. CIV., p.* 255.]

Nov. 28. Whitehall. **1163.** Journal of Lords of Trade and Plantations. His Majesty's order of 10th instant read referring to their Lordships' considerations several papers transmitted by Lord Vaughan from Jamaica concerning Sir Henry Morgan, Deputy Governor, and Colonel Byndlosse accused to have correspondence with the privateers. Also an exemplification of the proceedings on the citation of Sir

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Henry Morgan and Colonel Byndlosse. Whereupon their Lordships order a breviat to be made of the particular charges and proofs which appear to be brought against them; and then their Lordships will proceed to make a judgment upon the whole matter. Mr. Secretary Coventry takes notice that Lord Vaughan did demand and take from Sir Henry Morgan the letters he had written to him as Secretary of State. [*Col. Entry Bk., Vol. CIV., p.* 258.]

Nov. 28, 29. **1164.** Journal of the Assembly of Barbadoes. Ordered that the Treasurer pay the sum of 200,000 lbs. of muscovado sugar to Governor Sir Jonathan Atkins, which is presented by the country for his better support in the government of this Island.

Nov. 29. Ordered that Edward Preston, gunner, and his mate and matrosses be paid their salaries, as also Hugh Jones and Richard Wornell, gunners of the forts at Speights. That a mastick tree be bought of Nicholas Prideaux at 3*s.* a foot. Passed an Act to burthen those who have rent-charges and profits issuing out of the land and negroes in this Island to bear a proportion of taxes. Also an Act returned by the Governor and Council with amendments to explain a clause in the Act for establishing the Court of Common Pleas within this Island. Ordered that the expenses of the Committee for examining the laws at their public meetings be paid; and that the duty on wines belonging to Paul Gwynn on the Katherine be remitted. Adjourned to 23 January 1677–8. [*Col. Entry Bk., Vol. XIII., pp.* 237–240.]

Nov. 30. Whitehall. **1165.** Journal of the Lords of Trade and Plantations. In answer to a letter from the Governor of Boston to Secretary Coventry, dated 13th June 1676 [*see ante, No.* 945], the Lords order letter to be prepared commanding them to hasten the calling a General Assembly and sending their agents. [*Col. Entry Bk, Vol. CIV., p.* 260.]

Nov. 30. St. James'. **1166.** Sir John Werden to Major Andros. Acknowledges his of 22nd July. Encloses an order from his Majesty forbidding his admitting any of the accomplices of Bacon, the chief of the seditions in Virginia into his government. The forces designed to reduce those people unto their due obedience are now all embarked and in the Downs. The Duke hath lately had the mischance of a fall of a horse, whereby he broke his collar-bone, but he is now well again and able to use that arm, though the early frosts have a little retarded the bones knitting again. Leaves him to peruse Mr. Dyre's letter. *Mem.*—This letter with one enclosed from the King went the 4th of December, by one John Test in the ship Charles, bound for Maryland. 1 *p. Printed in New York Documents III.*, 245. [*Col. Entry Bk., Vol. LXX., p.* 23.]

Nov. 30. **1167.** Extract of letter from Sir John Werden to Mr. Dyre. Sir George Downing, one of the Customers, says that he may receive and give all encouragement to any inhabitants that will come with their goods and families from any of the other plantations to New York, and that the Customers make no scruple of letting such

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introduce all their own goods, for their own use and not to sell, customs free. The Deputy-Governor of the Royal Company tells him that they only pretend to the first importation of slaves out of Guinea, and when these are once sold in Barbadoes, Jamaica, &c., they care not whither they are transported, so that they would not oppose the introducing of black slaves into New York from any place except from Guinea, if they were first sold in that place by the Company or their agent. ½ *p. Printed in New York Documents III.*, 245, 246. [*Col. Entry Bk., Vol. LXX., p.* 24.]

[Dec. 4.] **1168.** Petition of Eleanor Langdon, widow, and Robert Langdon, citizen and merchant tailor of London, to the King and Council. By the death of petitioner's husband and of both his sons in Barbadoes an estate has come to both petitioners in Barbadoes of 300*l.* per annum for which they have been in suit in the Court at Barbadoes almost seven years but can get no good end, although a verdict passed for Eleanor about thirteen months past; possession is detained by one Thrale together with 3,000*l.* arrears of rent. Pray for an order to the Governor of Barbadoes for recovery and possession of what belongs to petitioners. "Read 4 Dec. 1676." [*Col. Papers, Vol. XXXVIII., No.* 72.]

Dec. 5. Whitehall. **1169.** Journal of the Lords of Trade and Plantations. Paper containing "The state of the business of Newfoundland and the fishery" read. Ordered that Mr. Pepys be written to for copies of the returns made to the Admiralty concerning Newfoundland by Captains Russell and Wyborne, who went convoys thither last year, and their Lordships will remember to chide them for not having made answer to the heads of enquiry put into their hands. Ordered that Messrs. Parrot and Ryder, agents for the West Country Adventurers, attend next meeting and give account of the West Country charter, and whether the additional rules allowed by the King for the regulation of the fishery are sufficiently settled. Sir John Perry's observations to the papers given in against a colony read, and to be further considered. [*Col. Entry Bk., Vol. CIV., p.* 261.]

[Dec. 5.] **1170.** "The state of the business of Newfoundland and the fishery" referred to above, and endorsed "Rec. 5 Dec. 1676." This copy is full of corrections in the handwriting of Sir Robert Southwell, secretary to the Lords of Trade and Plantations. The title has also been altered to "An Account of the Colony and Fishery of Newfoundland and the present state thereof," which is certainly more accurate than the above title. Another copy of this document without endorsement appears to be a fair copy of the above, but it is evident further alterations were made in the original after this fair copy was made. 9 *pp. Two copies.* [*Col. Papers, Vol. XXXVIII., Nos.* 73, 74.]

[Dec. 5.] **1171.** "French regulations in the fishery of Newfoundland, received from Mr. Secretary Williamson, 5th December 1676." These consist of extracts taken from the registers of St. Malo, and

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include a list of the names of twenty-nine French ships, with the number of men to each ship, total 1,627 men. *French.* 9½ *pp.* [*Col. Papers, Vol. XXXVIII., No.* 75.]

[Dec. 5.] **1172.** Title same as preceding, but this is a Decree of the Parliament of Brittany at the request of the noble Burgomasters of St. Malo on the regulations for ships and harbours in Newfoundland. Rennes, 1640. 31st March. *French.* 18 *pp.* [*Col. Papers, Vol. XXXVIII., No.* 76.]

Dec. 6. Whitehall. **1173.** Order of the King in Council. On petition of several merchants of the city of London trading to Virginia and Maryland, for liberty to proceed with their ships bound for those parts, that the Lords of the Admiralty forthwith give order for taking off the embargo whereby said ships may freely proceed on their respective voyages. [*Col. Entry Bk., Vol. LXXX., p.* 135.]

Dec. $\frac{6}{16}$. Barbadoes. **1174.** Governor Sir Jonathan Atkins to the Lords of Trade and Plantations. The rumours of differences with the French lodge them under some apprehensions. Is vigorously putting the Island into a posture to encounter all accidents. A Dutch squadron of ships in these parts, they have taken Cayenne and Marigalante from the French, and all the negroes taken they have transplanted to Tobago where they are fortifying and settling a colony. Doubts their stay will be long for a large French frigate has been met bound for these parts. There is never a frigate of the King's in all these parts, nor has he so much as a boat to send out for intelligence. In want of a quantity of match but of no other stores. 1 *p.* [*Col. Papers, Vol. XXXVIII., No.* 77 ; *also Col. Entry Bk., Vol. VI., pp.* 148, 149.]

Dec. 7. Whitehall. **1175.** Journal of the Lords of Trade and Plantations. Letter received from Mr. Pepys of the 6th instant, enclosing several papers sent to the Lords of the Admiralty by Captains Russell and Wyborne, convoy for the fishery of Newfoundland, viz., List of papers concerning Newfoundland and the fishery :—

I. Account of ships fishing between Trepassa and Bay of Bulls by Captain Wyborne, 1676 (*two copies*).
II. Account of ships making fishing voyages in Newfoundland in 1676.
III. Account of fishing ships by Captain Russell, 1676.
IV. Account of the French trade in Newfoundland (*two copies*).
V. Account of the French ships in Newfoundland, 1676, by Captain Wyborne.
VI. Account of sack ships between Trepassa and Bay of Bulls, 1676.
VII. Account of sack ships between Bonavista and St. John's, 1676, by Captain Russell.
VIII. Account of sack ships with their number of men, guns, and tons, 1676.
IX. Account of the English inhabitants in Newfoundland between Bonaventure and Petty Harbour, 1676, by Captain Russell.

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X. The names of English inhabitants, their habitations, number of boats, men, wives, children, and servants from Bonaventure to Trepassa.

XI. Total account of the inhabitants, their boats, fish, cattle, &c., from Trepassa to Bay of Bulls, 1676, by Captain Wyborne. 431 people, 9,743 kintals of fish worth 6,347*l.* 11*s.*, and 75 cattle.

XII. Abstract of the above papers made by order of their Lordships, from which it appears (by Captain Russell's account) that the number of English ships that went this year to fish is 126, the number of men belonging to these ships 4,556, the number of boats belonging to the ships 894, and the fish "made by them" 178,800, worth 112,618*l.* sterling. The number of French ships 102, with 18 boats to each and five men per boat, 9,180 with 2,040 guns. In "another account" of the number of English ships, &c., the figures vary, but not considerably. Total of English inhabitants, 1,657. This abstract is endorsed "Recd. from Mr. Pepys, 6 Dec. 1676." [*Col. Papers, Vol. XXXVIII., Nos.* 78–91; *also Col. Entry Bk., Vol. CIV., pp.* 262, 263.]

Dec. 7. Whitehall. **1176.** Journal of the Lords of Trade and Plantations. Order in Council of 29th November last read, in which Secretary Coventry is directed to add a clause to his Majesty's letter to Sir Jonathan Atkins commanding him to take bonds of ships suspected by the agents of the Royal African Company; and their Lordships being also directed to give the same instructions to Lord Vaughan and other Governors of His Majesty's plantations, it is thought fit that these words be inserted in the letter now sending to Barbadoes, viz., "We do further in relation to the said Royal Company signify unto you his Majesty's Order in Council of 29th November last, copy enclosed, and require that the same be carefully observed and put in execution." Messrs. Ryder and Parrot attend and present copy of the Western charter containing the additional rules which his Majesty had by Order in Council of 5th May 1675 approved (*see ante, No.* 550), and inform their Lordships that the charter was settled last spring, and orders sent by an express to Newfoundland to give information of his Majesty's pleasure. [*Col. Entry Bk., Vol. CIV., pp.* 263, 264.]

Dec. 8. Whitehall. **1177.** Order of the King in Council. That Secretary Coventry insert a clause in his Majesty's intended letter to Governor Atkins to take effectual care that no ship, except in the service of the Royal African Company, be permitted to go to sea on a trading voyage from any port within his government, the cargo of which may be suspected by the Company's agents to be proper for any parts of Africa within said Company's charter, until the master or proprietors of such ship has given security not to go to any part within the limits of said Company's Charter, viz., from Sallee to the Cape of Good Hope, and that they shall not import negroes,

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gold, elephant's teeth, malagetta, or other commodities of the countries within said Charter. Also that similar directions be sent to Lord Vaughan, Governor of Jamaica, and to the respective Governors of all other his Majesty's American Plantations. 1½ *pp.* [*Col. Entry Bk., Vol. I., pp.* 59, 60; *also Vol. VI., pp.* 139, 140.]

Dec. 8. Whitehall. **1178.** Order of the King in Council. That, for the greater security of the ships bound to Virginia and Maryland, and to prevent their falling into the hands of the rebels in Virginia, whereby those rebels may be supplied, the Lords of the Admiralty take care that notice be forthwith given to their respective masters to sail for James River for orders from Sir John Berry, Commander of his Majesty's ship the Bristol, before they proceed to their respective ports to trade. [*Col. Entry Bk., Vol. LXXX., p.* 136.]

Dec. 9. **1179.** The King to Sir Jonathan Atkins, Governor of Barbadoes.

Trusty, &c. When of our special grace and mere motion we designed you Governor of our Island of Barbadoes, it was not without trial made and experience had of your conduct in other employments wherewith we had entrusted you, and therefore we could not but expect from you a suitable deportment in that government. And we are the more surprised to find foundations laid for the support of government in that our Colony, and for the rendering the same useful in some measure to this our native kingdom, by a due observance of such Acts as the wisdom of Parliament here hath judged necessary and established upon mature consideration, not only shaken by the presumption of some pragmatical spirits there representing them as grievances, but countenanced and encouraged therein by your patronizing and pleading in their behalf, whose duty it was to bend all your reason and interest to have diverted such proceedings, and convince them of their error and danger in the attempt, at least to have refused your concurrence in affairs of that consequence and import till you had acquainted us therewith, and received our pleasure and direction concerning the same. The particulars which chiefly give us offence are these: First, that concerning our Farmers of the four-and-a-half per cent. weighing the casks of sugar; secondly, the complaint of the want of sufficient supply of negroes from the Royal African Company; thirdly, which is the main matter, a dispensation proposed by the Acts of Navigation and Trade; concerning which, when you have reviewed your late address of the 4/14 July 1676 to our Committees of Trade and Plantations, we doubt not you will be so sensible of your mistakes that we shall not need animadvert further thereupon than to tell you, as to the first, that the four-and-a-half per cent., being a revenue acknowledged by those who gave it to be settled and paid as cheerfully as any was by our people, if any hardship did appear in the collection by the Farmers thereof which might be remedied for the ease and convenience of our people, without damage to us by the abuses that are often practised in making casks bigger than the gauge, and ramming sugar therein to a greater weight than the casks are allowed to contain, you, who know how tender we are of our people's good, should have informed us thereof, with the safest way of remedy without promoting the same to a head of complaint, which yet we have under consideration for a regulation if it may be found, and cannot but blame you, the more that, in the close of your large account of that Island, though our Council and Assembly never so much as mention it as a burthen in their address, yet you desire for their encouragements they might be eased for some time of that duty, which themselves never so much as touch upon in their paper of grievances, but, on the contrary, profess as before to pay it with all cheerfulness. To the second, the Sub-Governor and Deputy Governor of the Royal African Company attending the Committees of Trade and Plantations,

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together with Colonel Thornbury, Agent for that our Island, he did not insist further upon that head, but agreed that the Island had been well supplied for this twelve months' past, and when there was any interruption of sending negroes it was occasioned by the stop of trade in the late Dutch war, and yet we observe you continue this complaint without the least colour for it. As for the third, we had thought you had been too well instructed in the constitution of this government not to know of what evil consequence it is that any of our subjects should, out of Parliament, presume to petition against the laws they must live under, and call them grievances, upon which the whole frame and navigation of this kingdom doth turn. But, above all, we admire that in your accounts to our said Committees which they have laid before us (with commendations, nevertheless, of your answer to all their inquiries) you make a complaint of the desperate condition of all our Plantations, and that they lie under great discouragements (without naming any, as you ought to do if there be anything that is truly so), such general discontented representation no way conducing to our service or the quiet of our people. And, therefore, upon the whole matter, being willing favourably to interpret what you have done to have proceeded rather from surprise, incogitancy, or importunity of some you found there not so well affected to our service as we judge you, than from any ill intention or declination in your zeal to promote the same, according to the trust reposed in you, we choose rather to caution you upon this occasion than to give you that severe reprehension which this action void of those favourable circumstances would require from us, and will yet hope to see your example and diligence for the future not only restore you fully to our good opinion but render you a "President" worthy imitation by the Governors of our other Plantations. And to the end you may be so in all respects we think fit further to take notice of a complaint made to us by the Company of Royal Adventurers trading to Africa that an action hath been brought against their Agent residing under your Government for having seized, according to the power they have by our Royal Charter, a veesel called the Anne of Barbadoes, with her lading of negroes imported thither, and to let you know that you failed in duty to us in suffering the said action to be commenced against the said Company's Agent for acting according to our said Charter, which ought not to be questioned or judged there. And therefore we require you to discountenance this action, and to prevent such proceedings for the future. And we, intending that the said Company of Royal Adventurers shall not by any ways be invaded upon as to the rights of our Charter to them, have thought fit to order in Council that no ships but only such as are in the service of the said Company shall be permitted to go to sea on a trading voyage from any ports or places of any parts of our Plantations in America whose cargo may be suspected by the Agents of the said Company to be proper for any parts of Africa within the said Company's Charter, until such time as the masters, owners, or other proprietors of such ships and vessels have given good security that they will not go to any parts within the limits of the said Royal African Company's Charter, viz., from Sallee to the Cape of Good Hope. And that they shall not import any negroes, gold, elephants' teeth, mallagetta, or other commodities of the countries within our said Charter to any of our said Plantations. We have therefore thought fit to signify our pleasure to you, and do hereby require you to take such bonds accordingly. And so we bid you farewell. Given, &c.

Countersigned by Secretary Coventry. [*Col. Entry Bks., Vol. I., pp.* 60–63; *Vol. VI., pp.* 140–144; *and Vol. CX., pp.* 103–106].

Dec. 9. **1180.** R. P. to [Colonel Jeffreys ?]. Showed his letter concerning the two invalid soldiers set on shore at Deal to the Duke of Monmouth who ordered him to draw a letter for their relief to the Governor of Deal Castle for the Duke to sign. 1 *p. Draft with corrections. Annexed,*

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1180. I. The draft letter above referred to. That Colonel Jeffreys had two soldiers of Captain Picks' company set on shore, one disabled by sickness, the other by an accident wound in his leg, from proceeding to Virginia. It is the King's pleasure they be lodged in some convenient place and be allowed 8*d.* a day each for their subsistence which shall be paid out of contingencies. He is to send speedy notice to [Mat.] Lock, Secretary to his Majesty's forces, at his office in the Horse Guards, whether they were old soldiers or newly raised and of what company and regiment. *Together*, 2 *pp.* [*Col. Papers, Vol. XXXVIII., Nos.* 92, 92 I.]

Dec. 11. **1181.** The King to Lord Vaughan, Governor of Jamaica. Taking into consideration a complaint of the Royal African Company that in some of the American Plantations the rights granted to them by charter have been invaded, his Majesty was pleased to order in Council that only ships in the service of said Company be permitted to go to sea in a trading voyage from any places within his government whose cargo may be suspected by the agents of said Company "to be proper for any parts of Africa within the said Company's charter" until security be given not to go to any part within the limits thereof, viz., from Sallee to the Cape of Good Hope, and that they shall not import negroes, gold, elephants' teeth, magalleta, or other commodities of said countries. Requires him to take care that said Order be duly observed. *Mem.*—The like letter was sent to Colonel William Stapleton, Governor of the Leeward Isles. [*Col. Entry Bk., Vol. CX., p.* 107.]

Dec. 12. Port Royal. **1182.** Journal of the Council of Jamaica. Ordered that Proclamation be issued immediately for prohibiting the landing of Indians from New England or any other places. The Proclamation. Ordered that the Secretary underwrite the account of the quit rents to certify it was sworn to by John Crompton; that the King's Attorney-General deliver to the Secretary the deposition of Captain William Bragg touching Sir Thomas Modyford and with the Judge's letter to his Excellency to be filed by the Secretary. The accounts of the Treasury allowed except the year's salary of 200*l.* to Sir John Griffiths, for solicitation of the confirming our laws and stores which is left to the King to allow. The accounts (from 1st March 1675 to 1st March 1676): total disbursements, 4,141*l.* 10*s.* 9*d.*, which include 1,500*l.*, the Assembly's gift to the Governor, 671*l.* 15*s.* 10*d.*, on the forts. [*Col. Entry Bk., Vol. XXXV., pp.* 535–543.]

Dec. 13. **1183.** Order of the King in Council. On petition of John Jefferies, John Banks, John Ewers, and others of London, merchants, owners of the Merchant's Delight and Hannah, praying for passes for said two ships in order to the more secure bringing them home; that the Lords of the Admiralty forthwith grant said passes. [*Col. Entry Bk., Vol. LXXX., p.* 137.]

1676.
Dec. 13. Wallingford House. **1184.** Warrant from the Earl of Danby to Anthony Segar. Whereas in pursuance of his Majesty's letters of Privy Seal of 15th June last, several tallies amounting to 4,500(*l.*) stricken upon the duty of 4½ per cent. at Barbadoes are delivered to him for his Majesty's service, that he forthwith deliver, in pursuance of his Majesty's warrant of 6th instant to the Duke of Monmouth, so many of said tallies as amount to 2,604*l.* 2*s.* 7*d.* for his own use. ½ *p.* [*Dom. Entry Bk., Chas. II., Vol. XLI., p.* 72.]

(Dec. 13.) **1185.** Receipt of the Duke of Monmouth from Anthony Segar pursuant to above warrant of three tallies, viz., for 950*l.*, 900*l.* and 700*l.*, amounting in all to 2,550*l.*, part of the tallies above mentioned. ¼ *p.* [*Dom. Entry Bk., Chas. II., Vol. XLI., p.* 72.]

(Dec. 13.) **1186.** Petition and Address of the Governor and Company of the Massachusetts Bay in General Court assembled to the King. Refer to the Indian war as the cause of the delay of answering the King's letters; no sooner had it ceased in the southern and western parts than it sprang up unexpectedly in the eastern parts, concerning which the controversy between them and the complainants doth arise. Are yet willing to offer their pleas and produce their evidences in this matter; are sure that no intention of wrong to the claimers, no unlawful design of enlarging their borders, no profit thereby accruing (the contrary of which has hitherto been found) but a grounded apprehension of their interest, real compassion to the petitioning inhabitants in an unsettled and suffering condition together with a sense of duty to be faithful to their patent. Trust caused them to receive those inhabitants under the wing of the King's government in this Colony established. "Betrust" the further management of their defence to William Stoughton and Peter Bulkeley. Thank the King for his consideration in letting them see the complaints against them. *Signed by* "John Leverett, Governor, with the consent of the General Court." *Endorsed*, "Read in Council, December 13, 1676." 1 *p.* [*Col. Papers, Vol. XXXVIII., No.* 93; *also Col. Entry Bk., Vol. LX., pp.* 182–186.]

(Dec. 13.) **1187.** Petition of Robert Mason and Ferdinando Gorges to the King. Pray for a hearing of their complaints of the unjust proceedings of the Massachusetts. [*Col. Entry Bk., Vol. LX., pp.* 187–188.]

Dec. 22. **1188.** Similar petition to the King for a hearing. [*Ibid., pp.* 188, 189.]

Dec. 22. **1189.** Order of the King in Council. Appointing 12th January for hearing the complaints of Mason and Gorges and ordering the attendance then of the Massachusetts' Agents, Stoughton and Bulkeley. [*Ibid., pp.* 189–190.]

1676.
Dec. 21. Council Chamber, Whitehall.

1190. Lords of Trade and Plantations to Sir Jonathan Atkins, Governor of Barbadoes. Have received under the same cover his letters of 15th August and 4th July, with answer to articles of inquiry, upon which they cannot but express the satisfaction they receive from so particular an account of the present state of Barbadoes, but indeed are sorry to find him so far engaged in the recommendation of some particulars which are not only prejudicial to the settled condition of Barbadoes itself, but contradictory to the established laws of this kingdom, his Majesty's authority, and the privileges granted to his subjects. Have lying before them the petition of the Council and Assembly, with annexed paper of grievances. But do not so much wonder at these representations from the body of a people who may by malicious or unadvised suggestions be persuaded into misapprehensions of their own interest and welfare, as their Lordships have reason to disallow of the countenance he has given them by several expressions and arguments in his letters. This was a matter of so great moment and importance as to deserve his Majesty's inspection in Council. Refers him to his Majesty's letter he will receive herewith [*see ante, No.* 1179] for answer to those particulars. Must add their own observation that in the point concerning negroes "you join in complaint after such time as you knew the island was sufficiently supplied with them, which hath been fully proved to us by the Royal [African] Company, and the complaint itself disowned by Colonel Thornbury, agent for Barbadoes." Further send him copy of the King's Order in Council, and require same to be carefully observed. Desire he will supply in his next such of the articles of inquiry sent to him as are defective. He can make "a reasonable conjecture" of the value of imports and exports; also of the number of merchants and factors, the value of their estates and wealth of the whole island, the number of sectaries and qualities; also the number of ministers and the provision made for each, also for the poor, and an account of the burials and christenings for the time to come; also to furnish all the laws in force, and which have received his Majesty's approbation. Expect to hear from him by every single ship or fleet coming from thence. Have received his letters of 3rd February and 25th September last [*see ante, Nos.* 811, 1040] with exemplification of the trial of Colonel Warner, which came not until 26th November. Cannot but express their wonder that an account of a matter of this importance should be imparted by him six weeks after their Lordships had been informed by other hands. *Signed by* Anglesey, Craven, Fauconberg, and H. Coventry. *A paragraph has been added after this letter was signed, so another copy was signed and most probably sent.* 3 *pp.* [*Col. Papers, Vol. XXXVIII., No.* 94.]

Dec. 21. Whitehall.

1191. Fair copy of the preceding, including the paragraph inserted in the margin. [*Col. Entry Bk., Vol. VI., pp.* 144–147.] Also copy of the first part of the above; probably the letter originally intended to be sent. [*Col. Entry Bk., Vol. I., pp* 64, 65.]

1676.

1192. Petition of Edwin Stede and Stephen Gascoigne, agents to the Royal African Company, to Sir Jonathan Atkins, Governor of the Caribbee Islands. That the Speedwell has lately arrived from a trading voyage within the limits of the African Company's charter without their consent and contrary to the King's proclamation, whereby she is become forfeit to his Majesty and said Company. That said vessel rides in places unaccustomed, out of the command of any fort, without having entered and given security as the law requires, by which illegal practices the King is cheated of his customs, and the laws of Barbadoes are violated. That said vessel has for three weeks been daily taking in goods in contempt of the Governor's commands, and will not permit any of the King's officers to come on board, but threaten to be the death of any of them, and refused to let Hugh Archer and the Deputy Surveyor of his Majesty's Customs come on board, and discharged several muskets at them in their boat to the hazard of their life and the great discouragement of his Majesty's officers. Pray his Excellency to give such order therein as shall seem best for taking said ketch, that the offenders may be brought to due punishment. 1¼ *pp.* [*Col. Papers, Vol. XXXVIII., No.* 95.]

1193. Petition of merchants of London, Bristol, Plymouth, &c., importing tobacco and sugars from Virginia and other Plantations, to the King. Set forth the inequalities of the duties paid in England and in Ireland upon tobaccos imported from Virginia, and pray for relief. *Endorsed by Williamson,* 1676. 2 *pp.* [*Col. Papers, Vol. XXXVIII., No.* 96.]

1194. "A Form of an Indictment for Rebellion by levying War." The jurors of the King present that *A.B.* of *C.*, in the county of *D.*, and other false traitors against the King, not having God before their eyes or considering their due allegiance but being seduced by the instigation of the devil, endeavouring the King's government of Virginia to disturb and change by force of arms, arrived on day of [1676], at the town of , in county of , their wicked designs to accomplish rebelliously with a great multitude of traitors and rebels to the number of 500 men did rise and assemble together and a horrid war against the King did then and there in hostile manner rebelliously levy and perpetrate against their due allegiance to the great danger of the subverting the royal estate and government of the King within the Colony of Virginia, and against the peace of the King, his Crown, and dignity, as also against the form of the statute in like cases made and provided. *Two copies. Latin and English.* [*Col. Entry Bk., Vol. LXXXI., pp.* 1–5.]

1195. "Propositions for the speedy settling of Jamaica" [received from Sir Thomas Modyford, *in Secretary Williamson's handwriting*]. That his Majesty by Proclamation declares this Island to belong to the Crown of England, and will protect his good subjects there in their just liberties, and not impose tax or any other charge upon them without the consent of the major part

1676.

of the Assembly. To admit any person of what nation soever to settle and plant, the Governor and Council to have power to naturalize them for this Island only. To continue liberty of conscience and free exercise of religion according to their several persuasions. To encourage the Scotch as being very good servants, and prevent them going to Poland and elsewhere. To have license gratis, or at more moderate rates to trade for negroes in Africa, giving security to carry them to no other market. From 24 years' experience in the Indies, affirms that Barbadoes had never risen to the perfection we have seen it had it not been lawful for Dutch, our own nation, and any others to bring and sell these blacks and other servants in their infancy. That they may have a coin allowed either by a mint, or the like in England, with a particular mark on it and power to export it; if neither be permitted to have license to import English coin for their bullion exported. That the laws of the Assembly long since sent home for the King's assent be returned confirmed by his Majesty, or at least so many as he approves. 3 *pp.* [*Col. Papers, Vol. XXXVIII., No* 97.]

Antigua. **1196.** An Act for the due paying, collecting, and receiving of gunpowder due from shipping. *Title only.* [*Col. Entry Bk., Vol. CII.*]

1197. Memorandum. Mr. Secretary Coventry to desire the Lords Committee for Trade and Plantations to move the King in Council that some ships of war be sent to cruise off the Channel for the security of a considerable fleet of Virginia ships homeward bound, which otherwise will be in great danger of falling into the hands of the Algerines. [*Col. Papers, Vol. XXXVIII., No.* 98.]

SUPPLEMENTARY ADDENDA.

1655 to 1674.

1655.
Aug. 28. **1198.** Report of the Commissioners for the Admiralty and Navy. In pursuance of his Highness' reference of 26th July last on petition of Peter Butler, mariner, have considered the matter and report of Judges of the Admiralty, and are of opinion that the most proper and equitable way for relief of petitioner will be by letters of reprisal on the King of Spain's subjects in America. *Annexed,*

1198. 1. The report of the Judges of the Admiralty above referred to. Certified copy, dated 27th August 1655, with Order of the Council of State, that the case be recommended to the Ambassador from the King of Spain. 3rd September 1653. Also further Order of the Council of State that Sir Oliver Fleming repair to the Spanish Ambassador, and desire his answer to the letters formerly written to him

1655.

in order to obtain justice on petitioner's behalf. 1653, 10th November.

1198. II. Depositions of William Sampson, Thomas Phillipps, and Peter Butler, concerning the seizure of the Mayflower laden with tobacco from Virginia, bound for New England, but driven by necessity to San Domingo, "whereupon letters of reprisal are issued." Translated out of the Spanish. [*On 13th November* 1655 *a warrant for letters of reprisal was issued to Peter Butler, David Selleck, and William Alford, their ship the Mayflower, of New England, 24 tons, with her lading, having been seized at San Domingo in Hispaniola. See Col. Cal., Vol. I., p.* 432.] 8 *pp.* [*Col. Papers, Addenda, Vol. XXXII., No.* 23*a*, 23*a* I., II.]

[1656, Feb. 4.] **1199.** Petition of Frederick Otsen, shipmaster of Horne, Holland, to Oliver, Lord Protector. Has for a long time traded with Barbadoes, and is well known to many honest merchants there. His ship the Love, Albert Albertson master, laden with wine and aqua vitæ, about three miles from land was made prize by General Penn's fleet, wherefore said Albertson at his return to Holland, out of despair, did hang himself. Has been three months soliciting restitution, and having debts owing him in Barbadoes prays license to go in an English ship thither to get in his debts. *With reference signed by* Mr. Secretary Thurloe. It is his Highness' pleasure to refer this petition to the consideration of the Lords of his Council to do therein what shall be fit for the petitioner's relief, and agreeable to justice. Whitehall, 1656, 4th February. 1 *p.* [*Col. Papers, Addenda, Vol. XXXII,, No.* 44*a*.]

1657.

Jan. 15. Cagway, Jamaica. **1200.** Order of Lieutenant-General William Brayne to Admiral William Goodson. To deliver to Peter Pugh, Treasurer, such contingent money of the State as remains in his possession undisposed of. *With seal.* 1 *p.* [*Col. Papers, Addenda, Vol. XXXIII., No.* 19*a*.]

May 8. **1201.** Report of the Commissioners for the Admiralty and Navy. That Vice-Admiral Goodson's bills of imprest for 3,105*l.* 16*s.*, charged upon him in the Treasurer's office, may be taken up, he having passed his accounts at Jamaica, where they were audited by Peter Pugh, appointed Auditor-General by Lieutenant-General Brayne, and attested by said Lieutenant-General. *Annexed,*

1201. I. Account current between William Goodson and the State of all monies received by him. Cagway, Jamaica, 1657, 26th January. *Together,* 3 *pp.* [*Col. Papers, Addenda, Vol. XXXIII., No.* 26*a*, 26*a* I.]

1658.

Jan. 12. **1202.** Report on petition of Vice-Admiral Goodson. That his commission from General Penn to command in chief the sea forces at Jamaica is dated 20th June 1655, General Penn going from thence 25th June, and that the Vice-Admiral came from Jamaica 31st January 1657 and arrived in England 26th April 1657, and so the

1658.

time of his service amounted to 672 days. Are of opinion that a gratuity of 350*l.* be paid to him for his extraordinary service. *Annexed,*

1202. I. The dates of Vice-Admiral Goodson's service in Jamaica. *Signed,* Thos. Kelsey.

1202. II. Certificate of the number of days of Vice-Admiral Goodson's service. *Together,* 2 *pp.* [*Col. Papers, Addenda, Vol. XXXIII., Nos.* 32*a,* 32*a* I., II.]

Aug. 4. **1203.** Report of Dr. Wal. Walker on report of the Commissioners of the Admiralty concerning Dutch ships taken by Captain Myngs for trading at Barbadoes, and carried by him to Jamaica. Conceives it most consonant to the Act of Parliament and the administration of justice to refer all these cases of seizure of ships by Captain Myngs to his Highness' Court of Admiralty of England. *The Report of the Commissioners of the Admiralty is in Col. Cal., Vol. I., p.* 467, *dated* 31*st July* 1658. 3 *pp.* [*Col. Papers, Addenda, Vol. XXXIII., No.* 46*a.*]

[1659, Jan. 13.] **1204.** Report of "The Committee to whom the matter touching the prisoners sent from Nevis is referred." That about July last Peter Bishop and Robert Overton, the persons sent over, did with others plot a design against the Governor and Council, to surprise and spike all the guns in the forts, seize Governor Russell and other military commanders and carry them to the mountains, and in case of resistance to kill them. That they appealing against the Grand Jury to his Highness have been sent over by the Governor and two witnesses to make good the accusation. 1 *p.* [*Col. Papers, Addenda, Vol. XXXIII., No.* 50*a.*]

1661.

January. **1205.** Grant to Thomas Lynch of the office of Provost-Marshal of "the islands of Jamaica" for life. *Docquet.* [*Chas. II., No. XIX., p.* 75.]

January. **1206.** Grant to Richard Povey of the office of Secretary of "the islands of Jamaica," and also of the office of Commissary-General of provisions for the fleet and forces, for life. *Docquet.* [*Ibid.*]

1669.

Jan. 20. Port Royal, Jamaica. **1207.** Richard Browne to Joseph Williamson. His Majesty's ship Oxford, commanded by Captain Edward Collier, came to anchor 29th October, at the Isle of Vacour, on the coast of Hispaniola, where were several English and French privateers belonging to Jamaica, and two French men-of-war, one being the Cour Volant of Rochelle, Captain La Veven commander, that robbed Isaac Rush, of Virginia, Master of the Commonwealth, of 12 barrels of pork, a barrel of butter, and another of flour. Captain Collier sent his Lieutenant to command La Veven aboard, but he answered that it was not usual for any captain of a man-of-war of France to be commanded out of his ship. The next morning, Captain Collier weighed, and came close to him, intending to board him, when La Veven came aboard; upon his commission being demanded he made several evasions, but subsequently produced one from

1669.

Monsieur de Beaufort to La Veven, but on his taking Rush's provisions, he went by the name of Captain la Roche of Toulon, and Rush coming into the Isle of Vacour the next day, maintained that he was the same man, whereupon Captain Collier, believing he was no other than a pirate, had him brought aboard his ship, "in order to his trial" at Jamaica, and commanded all the French, to the number of 45, on board the Oxford also. A Council of War was held aboard the Oxford on 2nd January by Admiral Morgan and eight others named, when they designed to attack Carthagena with the ships they had, and two or three more they expected with Monsieur la Veven's ship, which they had in possession, they mustering altogether about 900 men. While the captains were at dinner on the quarter-deck, the Oxford blew up, when 200 men were lost, including Captain Aylett, Commander of the Lilly, and Captains Bigford, Morris, Thornbury, and Whiting, only six men and four boys being saved. The accident is supposed to have been caused by the negligence of the gunner. I was eating my dinner with the rest, when the mainmasts blew out, and fell upon Captains Aylett, Bigford, and others, and knocked them on the head; I saved myself by getting astride the mizen-mast. The Oxford being thus lost, Captain Collier set sail in Veven's ship for Jamaica, where Captain Veven was tried before Sir James Modyford, Judge of the Admiralty, and condemned as a pirate, and the ship as pirate goods; but after sentence Veven appealed for his life to his Excellency Sir Thomas Modyford, which appeal was granted. $2\frac{1}{4}$ *pp.* [*Col. Papers, Vol. XXXIII., No.* 103*a*.]

Feb. 14. **1208.** Minute of the "Foreign Committee" on Crespo's ship. The ship to be restored, but declared that the King finds no legal right to restore her yet considering that the Governor of Jamaica sent for the proprietors with a promise to restore her, and his Majesty's former orders in the case, now of his own free grace his Majesty thinks fit to do it. This to be done in Council, where young Modyford is to be warned to attend, to give an account why his Majesty's former orders were not obeyed, and the Governor's promise made good, and to receive their Lordships' directions for satisfying the proprietors, &c. [*Col. Papers, Vol. XXXIII., No.* 103*b*.]

July 14. **1209.** Don Carlos Enriques to the King. Notwithstanding that new things are commonly looked upon as difficult, and especially that this business which I pretend to give a beginning to may seem so, yet believes the like has not been propounded to any monarch since the first conquerors of America and parts of Asia, who undertook things that had not that security, or promise of success, that the writer's has, as was done by Sir Francis Drake in the time of Queen Elizabeth, though with a different design, for he went only as the huntsman to try what he could find, and though he has been endeavoured to be imitated by several other navigators of England, France, and Holland, they

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have not met with the same good luck, because of their temerity and rashness, and had such ill success, that of several who ventured few ever returned to their country to give an account of their fellows. Describes the necessaries for the voyage, how the vessels are to be built, equipped, and manned with 150 men, the places they will touch at in going, the amount of money required, and the course to be pursued on arriving at the Straits [of Magellan], for taking possession of Elizabeth Island and the Isle of St. Clara, and for founding a colony there. Desires three commissions, one on pretence of going for Jamaica, the second to be used when they have passed the Canaries, as if designed for some of his Majesty's factories in the Indies, and the third for the preservation of the writer's own authority as absolute chief, to which post he begs for reasons given, to be appointed, as also to be naturalized as his Majesty's subject. Beseeches the King to cause his propositions to be well considered, and himself sent for and examined upon all difficult points, without deferring it to the time when he will be necessitated to go to Flanders to solicit his stipend, being unable to subsist much longer at the English Court without it. *Portuguese with English translation. Endorsed,* "Don Carlos Enriques' second proposition in order to a voyage to the West Indies. Rec. July 14, 1669." 21 *pp.* [*Col. Papers, Addenda, Vol. XXXIII., No.* 103*c.*]

July 25. **1210.** Don Carlos Enriques to the King. In his late propositions he offered two things—one easy without hazard, as his going the intended voyage with one vessel to discover the coasts and the passage of the Straits of Magellan, the other more chargeable and requiring greater circumspection as the carrying more shipping, and going with intention to settle near the Straits a colony of England without delay. The time of the year to pass the line is so near that he must go from hence in November to arrive about March or April when the Indians gather their harvest of maize and papas, a kind of potatoe, which may easily then be had. Is not in a condition to subsist here, and therefore prays for a dispatch of his business, or some relief while he attends. *Portuguese.* 5 *pp.* [*Col. Papers, Addenda, Vol. XXXIII., No.* 103*d.*]

Aug. 23. **1211.** "Particulars requisite for the regiment intended for the West Indies." Provisions for six months. Stores of war, spare arms and ammunition for twelve months. Necessaries, viz., shoes, stockings, shirts, and cravats, with a parcel of coats and hats for twelve months. Two months' pay advanced with directions to receive their pay until further orders out of the 4½ per cent. in the Leeward Islands or Barbadoes. *Endorsed,* "Read 23 Aug. 1669." 1 *p.* [*Col. Papers, Vol. XXXIII., No.* 103*e.*]

1670.

Aug. 25. **1212.** Note by Don Carlos Enriques of several necessaries for the voyage to the West Indies. *Portuguese. Endorsed in English.* 1 *p.* [*Col. Papers, Addenda, Vol. XXXIII., No.* 103*f.*]

1670.
Aug. 1. **1213.** Affidavit of Robert Smart of Dartford, Kent, labourer. Has voluntarily consented to go to Virginia upon the account of George Potts in such service as he shall appoint for four years, according to the custom of the country, or to reimburse said George Potts charges, and to go in the Jamaica Factor, Constable master, or any other ship. *Annexed,*

1213. I. Certificate from the Registrar's Office. That said Robert Smart consents to go to Virginia as aforesaid, and that said George Potts agrees at the end of said term to give him double clothing with other necessaries according to the custom of the country. [*Trade Papers, Vol. CXXIV., pp.* 11–13.]

1671.
Jan., Feb. **1214.** Affidavits of Mary, wife of Mark Collins, and Thomas Stone against William Haverland, "generally called a spirit." Also of William Haverland against John Steward for spiriting persons to Barbadoes, Virginia, Jamaica, and other places for twelve years, five hundred in a year as he has confessed. Also against William Thiene who in one year spirited away 840, Robert Bayley "an old spirit who hath no other way of livelihood," and others, spirits. Also of Griffith Jones against Mark Collins, a spirit, of Joshua Pretty, and Martha wife of William Tanner. *Annexed,*

1214. I. Copy of the Act to prevent stealing and transporting other children, passed 18th March 1670[–71]. *See* Commons Journal, p. 142. [*Trade Papers, Vol. CXXIV., pp.* 13–18.]

June 6 **1215.** Andrew Orgill to the Council for Foreign Plantations. Having spent great part of his time in Barbadoes, presumes to offer some considerations that may be serviceable as to the Plantations. *Annexed,*

1215. I. *Considerations concerning the Plantations. They stand in two different relations to this Kingdom: one class is destructive to the trade of England, because not producing native commodities fit for our market they are obliged to subsist by our trades; the other class is most advantageous, as growing commodities not producible here, and employing many people who are supplied by our manufactures, and thereby benefit trade and navigation. Of the former class are New England, Virginia, Maryland, and Long Island, and it would be most advisable to encourage them to remove to Jamaica, which is of the latter class, very fruitful, and only needing cultivation.* 1,500 *or* 1,600 *from New England, and* 150 *from Virginia, amongst whom Mrs. Anne Toffs, are wishful to remove thither, if they may have land and liberty of conscience, and if the present Governor of Jamaica, who encourages planting may be allowed to remain.* [*Trade Papers, Vol. CXXIV., pp* 19–23.]

1672.
Jan. 30. Port Royal, Jamaica.

1216. Richard Browne to Jos. Williamson. News by a sloop from the Bay of Campeachy that Captain Yellowes, late of this Island, has lately taken five ships laden with logwood, one burnt another sunk, and one belonging to Mr. Bent, of London. Captain Morris, lately commander of the frigate Lilly, has come in. The Governor of St. Jago on Cuba sent a vessel to complain against him for taking a vessel belonging to Trinidad laden with tobacco and sugar. Hears the Spaniards demanded 700*l.*, and were satisfied by Sir Thomas Lynch. Morris was condemned as a pirate and the Lilly forfeited to his Majesty, but two or three days after he received a pardon, and is again made Commander of the Lilly, and he and one Captain Allard are hired by Sir Thomas Lynch at 80*l.* a month, Allard to seek a trade and Morris with instructions, if possible, to attack Yellowes; but he and his consort, having twelve and 16 guns apiece, may endanger them both. Twelve men that ran away in a canoe from here are retaken; for punishment, the servants to have three years added to their indentures, the freemen to pay 50*l.* apiece or be whipped. Advice that Captain Quadman is arrived at Curaçao with negroes and other goods from this place, and that the Welcome frigate is there. Last week Major Beeston, Commander of the Assistance frigate, arrived from Trinidad with fifty live cattle, and having sold some negroes, sailed for Hispaniola, where report says 600 or 700 French and English are gathering to attempt something against the Spaniards which has forced the Governor of St. Jago on Cuba to send to Sir Thomas Lynch for relief "to dissipate their intentions." Cannot fully learn the reason of Captain Wilgress' dismissal from command of the Assistance; however, he goes for England and so does Major Beeston. Report speaks that Admiral Morgan is to be sent for England in the Welcome by his Majesty's orders and that Vice-Admiral Collier is secured, having sold his estate with intent to go off, but now is prevented and "I hope prosecuted, that he may receive his deserts for his cruelties and rogueries, besides the loss of the Oxford frigate and 250 souls therein." Fear of Captain Yellowes by the vessels sailing towards Campeachy for logwood. If that trade fail, this Island will be ruined in regard. Privateering being damned, they know not how to employ the men they have, therefore must venture or else starve. News that Sir Charles Wheler has seized Captain Morley's ship at Nevis, where, in regard she came from the Bay of Campeachy with logwood, he hath condemned her as a prize. Several vessels from Nevis speak very hardly of Sir Charles for seizing and putting them to excessive charge. Death, about a fortnight since, of Dr. William Dunn, physician in ordinary to his Majesty and the king of France, being in these parts on a voyage of pleasure in the Assistance to Trinidad. Captain Johnson, a privateer, refuses to come in. Major Beeston has orders to attack him. His continued resolution for England in March next. 3 *pp.* [*Col. Papers, Vol. XXXIII., No.* 106*a.*]

Feb. 10. **1217.** Relation by Major William Beeston, Captain of the Assistance frigate, of his taking the Charity which had been formerly Captain David Martyn's man-of-war, at Campeachy, Commander Francis

1672.

Weatherbourne, and besides him, 20 English, French, and Indians. 2¼ *pp.* [*Col. Papers, Vol. XXXIII., No.* 106*b.*]

1674? **1218.** Memorial of Francis Moryson, Agent for the Colony of Virginia, to Secretary Lord Arlington. That the frigate designed for that place is to sail within three days. That his Lordship will order his despatch to the Governor and Secretary of the Colony and give command either by the King's or his own letter to the Governor that all ships lade and unlade under the fortifications erected for defence in each river. [*Col. Papers, Vol. XXXIII., No.* 110.]

1661 to 1677. **1219.** A List of Acts passed in Virginia from March 1661 to October 1677, "transmitted by Captain Jeffreys and received from the Right Honourable Mr. Secretary Coventry on 24th September 1678. Sir William Berkeley, Governor." Total, 192 Acts. Also the full text of each separate Act. Certified copy "drawn from the book of laws" by Robert Beverley, clerk of the Assembly. 102 *pp.* [*Col. Entry Bk., Vol. LXXXVI., pp.* 1–102.]

1220. Abstracts of the preceding Acts. 65 *pp.* [*Col. Entry Bk., Vol. LXXXVII.*]

1221. "The Laws of Virginia now in force or which may be made so by taking off the suspension which some of them lie under as they are transcribed from the records in Anno 1697." Received in Sir Edmond Andros' letter to the Board [of Trade and Plantations], dated 5th June 1698. *Some of these Acts are struck through with a pen with the marginal notes* "Provided for, Obsolete, Repealed 1699." 136 *pp.* [*Virginia, B. T., Vol. LXXXVI., pp.* 1–136.]

1222. Another MS. copy of the above laws of Virginia. *With index and marginal notes in red ink,* "Needless, Expired, Obsolete, Repealed, Private, Useless, Provided for." *There is* frequent reference in this Volumne to "the [preceding] bound book received from Sir Edmond Andros." 100 *pp.* [*Col. Entry Bk., Vol. LXXXVIII., pp.* 1–100.]

Besides these four Manuscript Volumes of Acts which contain respectively the Acts passed in Virginia down to 1682, 1684, 1697, *and* 1702, *there are four printed Volumes of Acts, viz., Col. Entry Bks., Vol. LXXXIX., printed in London* 1727, *Vol. XC., printed in Williamsburg* 1733, *and Vol. XCI., printed in Williamsburg* 1755. *Virginia B. T. Vol. LXXXIX., is a duplicate of the copy printed in London,* 1727.

1660 to 1676. **1223.** Orders of the Grand Assembly held at James City, Virginia, 13th March 1659(–60), Sir William Berkeley, Knight, Governor and Captain-General. Also the Orders of 11th October 1660, 23rd March 1661, 23rd March 1662, 2nd December 1662, 10th September 1663, 10th October 1665, 23rd October 1666, 20th September 1667, 17th September 1668, 3rd October 1670, 20th Sep-

1660 to 1674. tember 1671, 24th September 1672, 20th October 1673, 21st September 1674, 7th March 1675(–76), and 5th June 1676; *to these last is appended the Mem.:* "All the Acts and Orders of this Assembly are repealed and made null and void by his most sacred Majesty's instructions and proclamation, and also by the fourth Act of the Assembly bearing date at Green Spring, 20th February 1676–77, intituled an Act declaring all the Acts, Orders, and Proceedings of a Grand Assembly held at James City in the month of June 1676 void, null, and repealed." *Certified copy by Robert Beverley, Clerk of the Assembly.* [*Col. Entry Bk., Vol. LXXXVI., pp.* 201–224.]

1676. **1224.** Abstract of the records of all grants of land that have been made in South Carolina in the year 1676, in continuation of those abstracted in 1675, *see ante No.* 717.

Persons Names to whom granted.	No. of Acres.	In what County, Parish, or Township, or in what River or Creek situated.	Date of Grant.
Stephen Bull	400	Ashley river	28th Oct. 1676.
William Jones	210	Ittavan island	20th Jan. „
Maurice Mathews	402	Ashley river	28th April „
John Boone	200	-	20th Feb. „
Edward Cooper	570	Cooper river	15th April „
Robert Donne	150	Near Charles Town	5th Aug. „
Henry Symonds	134	Cooper river	17th Aug. „
Jacob Wayt	764	Ashley river	„ „
Thomas Stanyarne	950	Wandoe river	14th July „
James Donoho	10	Ashley river	16th Dec. „
James Donoho	90	-	30th Dec. „
John Barton and James Powell	140	-	17th Aug. „
John Bulline	—	Town lot	1st Feb. „
George Canley	160	? Ashley river	28th Oct. „
George Canley	10	-	20th Oct. „
Richard Conant	150	Goose creek	14th July „
Stephen Bull	97	? Cooper river	16th Dec. „
John Godfrey	100	? Wappoe creek	17th Aug. „
Thomas Hunt	498	? Berkeley county	15th April „

[*Col. Entry Bk., Vol. XXIII., pp.* 1–4.]

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Axemi.	Morea.
Buffo.	Nassau.
Butterne.	Quaqua.
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ERRATA.

No. 46, *for* "Alderman Walker" *read* "Alderman Walter."

Page 40, line 2, *for* "not one who has not done more" *read* "not one who has done before."

Page 40, line 26, *for* "favurable" *read* "favorable."

No. 116 1., *for* "Walloons and France" *read* "Walloons and French."

No. 121, *for* "her Majesty" *read* "his Majesty."

No. 150, *for* "9th August 1628" *read* "9th August 1629."

Page 91, line 6, *for* "Richard Holdyrt" *read* "Richard Holdip."

No. 328, (p. 132), *for* "Colonel Francis Praington (?)" *read* "Colonel Francis Barrington."

No. 334, *for* "Captain Ayliett" *read* "Captain [John] Aylett."

No. 338, *for* "Mr. Bovey" *read* "Mr. Povey."

No. 354, *for* "Kanhather, Lieutenant Dan" *read* "Lanhather, Lieutenant Dan."

Page 164, 1st line, dele 1574–1674.

Page 188, line 18, *for* "Bourdeaux" *read* "Bordeaux."

Page 192, line 29, *for* "Lord Stafford" *read* "Lord Strafford."

Page 193, line 32, *for* "have" *read* "has."

No. 617, *for* "Joseph Mithers" *read* "Joseph Withers.

No. 796, *for* "8th instant" *read* "8th June last."

Page 410, *for* "Her Majesty's Customs" *read* "His Majesty's Customs."

No. 1169, *for* "Sir John Perry" *read* "Sir John Berry."

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